

**EASTERN INTERIOR FEDERAL SUBSISTENCE
REGIONAL ADVISORY COUNCIL MEETING**

October 21, 1998

MINTO COMMUNITY HALL
Minto, Alaska

COUNCIL MEMBERS PRESENT:

Charles P. Miller, Chairman
Philip J. Titus, Vice Chairman
Nathaniel Good, Secretary
Craig Fleener
Gerald D. Nicholia

Regional Coordinator:

Vince Mathews

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P R O C E E D I N G S

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(On record - 8:00 a.m.)

CHAIRMAN MILLER: I'd like to call this meeting to order and take roll, Vince.

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MR. MATHEWS: Chuck Miller.

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CHAIRMAN MILLER: Here.

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MR. MATHEWS: Philip Titus.

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MR. P. TITUS: Present.

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MR. MATHEWS: Nathaniel Good.

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MR. GOOD: Present.

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MR. MATHEWS: Craig Fleener.

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MR. FLEENER: Here.

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MR. MATHEWS: Lee Titus is absent. Davey James is absent. Gerald Nicholia.

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27

MR. NICHOLIA: Here.

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29

MR. MATHEWS: Lincoln Tritt is absent and Calvin Tritt is absent. We have five members out of nine so we do have a quorum. And I do have a few things to point out real quick if this is okay. I put a folder with various reports in it and I'll try to point those out during the various presentations.

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35

The other thing is for public and Staff, please sign-in, I believe the sign-up sheet is by the front door. For those of you who would like to use a hearing assistant device we do have a limited amount of them. We can get you those. This is our first time using them at these meetings. Basically it transmits what is being heard on the microphones which may help in some situations. So for those that are wondering when I'm wearing this, I'm not listening to the World Series, I'm listening to the meeting. So anyway, those are available if you'd like to and then we need your name on that, et cetera.

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CHAIRMAN MILLER: Let's move on down to introduction of Council members, agency Staff and honored guests. I think we all pretty much know who everybody is here. Okay, moving on down to opening comments by Minto elders. Anybody here?

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1 MR. GOOD: We got the guy sitting right next to you.

2

3 MR. P. TITUS: Boy, I got a lot to say. Why don't we
4 just leave it open.

5

6 CHAIRMAN MILLER: Okay. Council member concerns.

7

8 MR. NICHOLIA: I have one and it's about concerns --
9 it's a topic I should bring for -- it's in the proposal forms,
10 it has to do with the fees for subsistence trappers to ship
11 their furs to the auction houses in Canada, and what the
12 problem is is there's too much Federal fees, side fees and
13 other fees, export exception permits, import/export license.
14 There's so many fees and stuff put on subsistence interior
15 trappers, that it's not even worth it for them to trap. And
16 for these agencies and governments to put anymore fees on them
17 -- these subsistence trappers. See we didn't introduce this
18 money for furs things, this was introduced when you guys came
19 here. And I believe these fees and stuff are not -- even
20 though they're legal, I don't think they're based on anything
21 that should be. I see they're pretty much unreasonable fees,
22 to me, because I don't want to see a deal between here and
23 Canada when we have established a free trade market with them.

24

25 So this will be coming up. I want to move to put this
26 on the agenda.

27

28 CHAIRMAN MILLER: Vince.

29

30 MR. MATHEWS: Yes, Mr. Chairman, this issue came up
31 after your last meeting and I'm not going through a lot of
32 details but the point is that there's probably nobody here
33 really to address this. Probably during breaks we'll have to
34 pool together as much information as we can. The other thing
35 is I do have the handout or the letter which is from Tanana,
36 Rampart, Manley local fish and game advisory committee, and I
37 think Gerald has something else there, too. So if it's added
38 to the agenda and at that time we'll pass it out, but I just
39 want to make it clear to you now, I don't think we can really
40 talk much more about it, as far as in de -- I mean we don't
41 have someone here that's going to present on that, but we'll
42 discuss it if it's added to the agenda and then see from there.

43

44 CHAIRMAN MILLER: Okay. Do you want to go ahead and
45 add it to the agenda, Gerald?

46

47 MR. NICHOLIA: Yes, just to bring it out in the open.

48

49 CHAIRMAN MILLER: Okay.

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1 MR. MATHEWS: Probably the best -- boy, I didn't
2 have.....

3
4 MR. GOOD: What about regional Council member report.
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6 MR. MATHEWS: Yeah, I think it might be best to stick
7 it under there. What Nat is talking about is under number 9, I
8 believe it is, that we would put it under -- I don't see it
9 here -- oh, other members reports, so it would be 9(B) would be
10 where we would bring it up. There's no other appropriate slot
11 really to put it at this point so that would probably be the
12 best spot.

13
14 CHAIRMAN MILLER: Any concerns there, Nat?

15
16 MR. GOOD: I think the concerns I have will be
17 addressed during the meeting.

18
19 CHAIRMAN MILLER: Okay, how about you Philip?

20
21 MR. P. TITUS: Yeah, fishing. Or I know -- we done the
22 moratorium or whatever, that the fish migrate up the river.
23 Even though there's no Federal land in the Eastern Interior
24 along the river it still is a concern because there's a lot of
25 fishermen on the river that depend on the fish even though
26 they're not on Federal land, still, the fish migrate up the
27 river. That's one of my concerns.

28
29 CHAIRMAN MILLER: Gee, you don't got no concerns,
30 Craig?

31
32 MR. FLEENER: No concerns.

33
34 CHAIRMAN MILLER: Okay. Moving right along, any
35 additions or corrections to the agenda?

36
37 MR. FLEENER: Mr. Chair, we talked about this once
38 before, but maybe we could move the elections and appointments
39 to the end of the agenda and you could continue to run the
40 meeting today so we don't have a break in the meeting and do
41 the election at the very end right before we adjourn.

42
43 CHAIRMAN MILLER: Okay, that sounds good. Okay, we'll
44 go ahead and put that in then. Any other corrections? Go
45 ahead, Vince.

46
47 MR. MATHEWS: It's just a note, it's probably not a
48 correction. But just so everybody's on the same wave length
49 there will be discussions about the Fortymile which will

50 probably -- Fortymile Caribou Herd Management actions planning

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1 and all that; that will probably come under Fish and Game's
2 presentation. But just so that's noted. They're flying in
3 today, assuming they can fly in, on that. So we do have a
4 handout on that and I think Pete will also be talking about the
5 special action on Fortymile. So it's noted in there, but just
6 so everybody's -- it's not noted in there, but so it is clear
7 to everybody, that will be a point that will be coming up.

8
9 CHAIRMAN MILLER: Okay.

10
11 MR. FLEENER: I make a motion to approve the agenda
12 with the noted changes.

13
14 CHAIRMAN MILLER: Is there a second?

15
16 MR. NICHOLIA: Second.

17
18 CHAIRMAN MILLER: All in favor.....

19
20 MR. P. TITUS: Mr. Chairman.

21
22 CHAIRMAN MILLER: Go ahead Philip.

23
24 MR. P. TITUS: Where are we going to put the election
25 at, before adjournment?

26
27 CHAIRMAN MILLER: Yeah, before the adjournment.

28
29 MR. FLEENER: How about right before.....

30
31 MR. P. TITUS: Future meeting place?

32
33 MR. FLEENER: That sounds good.

34
35 CHAIRMAN MILLER: Yeah.

36
37 MR. GOOD: It sounds like future meeting plans.

38
39 CHAIRMAN MILLER: Yeah.

40
41 MR. P. TITUS: Call for the question.

42
43 CHAIRMAN MILLER: Question's been called. All in
44 favor.

45
46 IN UNISON: Aye.

47
48 CHAIRMAN MILLER: Opposed same sign.

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1 MR. GOOD: Mr. Chairman, I move we approve the minutes
2 of the last meeting.

3
4 CHAIRMAN MILLER: Is there a second?

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6 MR. NICHOLIA: I'll second.

7
8 MR. MATHEWS: And the record should show that the
9 minutes are in the book under Tab C and the book was provided
10 to them prior to the meeting and copies are in the back public
11 table.

12
13 MR. P. TITUS: Question

14
15 CHAIRMAN MILLER: Question's been called. All in favor
16 of approving February 18 and 19 meeting minutes signify by
17 saying aye.

18
19 IN UNISON: Aye.

20
21 CHAIRMAN MILLER: Opposed same sign.

22
23 (No opposing votes)

24
25 CHAIRMAN MILLER: Regional Council Chair's report.

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27 MR. MATHEWS: This would be just to give an update if
28 needed of the joint meeting of all the Chairs on the Sunday
29 before the Board meeting on the first week of May. And I'm
30 drawing a blank who was all there. Must have been Craig, and
31 you were there -- no, you weren't there, Craig, you were at
32 that meeting, correct, the joint Chair's meeting. And it would
33 just give an update on that and then what transpired at the
34 joint Chairs and Federal Board meeting, just so the people
35 understand how that works and what transpired.

36
37 MR. FLEENER: Mr. Chair, I have to think about it for a
38 while, I haven't thought about it for a few weeks. But at the
39 c&t meeting we got into an awful lot of discussion about --
40 well, we wanted to talk a lot about the alternatives for the
41 customary and traditional approach and it turned out, at least,
42 at the first meeting which was the only one I could attend, it
43 turned out to be a lot of discussion about definitions and what
44 things actually meant. And all of us, just about, had
45 different definitions for customary and traditional, all these
46 different terms that we all use on a daily basis. None of us
47 could really come to an agreement on what the heck it really
48 meant. And so the whole meeting didn't go quite as planned
49 towards solving the c&t problem, if you want to call it that.

50 And subsequently we, maybe individually and maybe with some

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1 groups, came up with a few ideas on how we can make c&t
2 determinations and I think everybody's been given a copy. I
3 don't know, is there a copy of.....

4
5 MR. MATHEWS: Yes, it's in the book under one of the
6 tabs. I think it's Tab I, yes. And there will be a
7 presentation by Staff on the c&t working -- the task force.

8
9 MR. FLEENER: And if you wanted to review that I guess
10 it's under Tab I. But I was kind of a little more hopeful at
11 the first meeting, but we absolutely had to get some
12 definitions out of the way before we could even start working
13 on making a solution. If we all come up with a solution but we
14 think a problem is different then, you know, it really isn't a
15 good solution if you don't agree on what the problem is. And
16 so it's still working -- I guess there's another meeting that
17 may be called in November or something.

18
19 MR. BOYD: Yeah, we don't have a date yet that I'm
20 aware of.

21
22 MR. FLEENER: There's supposed to be another meeting in
23 November. I'd like to be there but my class schedule has been
24 pretty hard lately and it might be better if the Council
25 appoints someone else to attend that meeting. I regret not
26 being able to go to the last few. I requested that they put on
27 days that I have a light schedule but they always seem to fall
28 on days that I have three classes and I just can't afford to
29 miss them. And so if the Chair would like to appoint someone
30 else, that would be fine with me.

31
32 As far as the -- are there any questions? That's just
33 a real brief review, I'm sure we'll get into more of it later.
34 If there is no questions, the Chair meeting was actually fairly
35 similar. One of the big concerns that was talked about was the
36 c&t determinations. There was very similar types of issues at
37 that meeting. We all had different definitions for c&t. There
38 were some of them that really liked the c&t process, but they
39 really -- later on it came out in our meeting that they didn't
40 fully understand really what c&t was either. They were
41 approving c&t determinations and some of the Chairs and their
42 Councils admitted to not fully understanding it, which all of
43 us really had to admit, too, because I don't know how many
44 people here can say they fully understand the c&t process
45 anyway. And so it was again, a lot of confusion there. And
46 everybody pretty much came to the conclusion that we need to
47 work on this and that's where, I guess, the committee -- that's
48 why the committee was formed to address c&t determinations.

49

And there were several other issues discussed, but I

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1 think that was the one that effects us most of all. If there
2 are any questions?

3

4 MR. P. TITUS: On the c&t determinations, is it
5 jeopardizing anybody's opportunity to hunt and fish? is it
6 taking away their opportunity with their definitions?

7

8 MR. FLEENER: Well, that's something that there was a
9 lot of discussion about and some of the people think that if
10 you do certain c&t determinations you take rights away from
11 some people. And there are some Council members -- or there
12 are some Chairs and their Councils that like the idea of
13 limiting those freedoms. Our Council here at Eastern Interior
14 has talked a lot about not restricting people from hunting.
15 One of the things that we really talked a lot about is trying
16 to give people the most opportunities. But in some of the
17 other regions, they want to exclude their neighboring villages.
18 And so that was something that really concerned me. I was
19 quite surprised to hear that. But it turns out that they
20 actually do want to restrict some of the other communities.

21

22 And so I mean to answer your question easily, yes, it
23 does restrict some people. And that's one of the reasons that
24 it's a concern to me because a lot of the people that I've
25 talked to in the villages think that c&t determinations is just
26 acknowledging their traditional use of the resources, when in
27 fact, that that's not all it does. And so it certainly does
28 restrict people.

29

30 Vince, do you want to add to that?

31

32 MR. MATHEWS: Yes. I think when we get into the full
33 presentation on that, those were some of the central questions
34 in that discussion, is subsistence -- is c&t protecting
35 subsistence uses or is it a restrictive action. It's one of
36 the key questions that the Council will have to discuss. So
37 Craig's doing a very neutral job of saying there's varied
38 opinions on c&t use across the state and even within regions,
39 how to utilize the eligibility determinations. So anyways, we
40 will have a -- George will be presenting that and I will be the
41 one that will keep reminding you to go back to the central
42 question so it's clear on the record where this Council stands
43 on those questions. If you so desire to respond to those
44 questions.

45

46 MR. GOOD: Mr. Chairman.

47

48 CHAIRMAN MILLER: Nat.

49

MR. GOOD: We won't be acting on any c&t proposals, I

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1 don't believe at this meeting, however, I would like to see our
2 spring agenda reflect something immediately ahead of any
3 actions taken, going over c&t, the process, and what has
4 happened in between. For instance, at the November meeting
5 that I believe is going to be held. It would be, not only for
6 our new Board members but for us as well. I think we need it,
7 too.

8
9 CHAIRMAN MILLER: So your suggestion would be move this
10 to.....

11
12 MR. GOOD: Oh, yeah, if we could review that on our
13 spring agenda.

14
15 CHAIRMAN MILLER: Okay.

16
17 MR. FLEENER: And I guess something else, Mr.
18 Chair, that I could talk about that I participated in real
19 recently was the new member training. I don't know if that's
20 on this agenda but I can slip it in as a report that I was able
21 to assist Vince in new Council member training at Fish and Game
22 when he took the new Council members around. And we talked a
23 lot about different issues. And I probably would have liked to
24 have spent some time alone with the new members and have gotten
25 away from the State sitting, but I think that was probably my
26 own fault because I couldn't come up with the time to go to the
27 Federal building and meet with them. But I think that I like
28 this idea of Council member training. I really liked the idea
29 that the new Council members went to the various State and
30 Federal offices to meet the people that they're going to be
31 interacting with and I think that was a thing that we need to
32 continue to do and I encourage Vince in that. It's a good way
33 to introduce people to the issues and the people that they're
34 going to be getting involved with in the future. So I think
35 that's a really good idea.

36
37 And that's all I have.

38
39 MR. MATHEWS: Mr. Chairman, since all of you were
40 trained differently, I need to just flush that out real
41 quickly. Basically what we did is build on past training that
42 I think I did with Nat and Gerald and somewhat with Craig, and
43 then we expanded into where we physically went to the various
44 offices of National Park Service. We met with Steve Ulvi at
45 the Park Service, as an example. We met with Bureau of Land
46 Management, with Dave Yokel and Ruth Gronquist. And we met
47 with all the refuge managers that were available at the time.
48 And then we went over to Fish and Game and met with their
49 wildlife division staff, sport fish staff. Plans were to meet

50 with subsistence staff but there was scheduling conflicts.

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1 I'm encouraged to hear that there was positive feelings
2 on that. There was good dialogue. So that just gives you an
3 idea of what transpired. So they went through the book portion
4 like all of you did and then we went to the various staffs and
5 just opened it up with the key question of being, what did they
6 expect from each other? What did you expect from the agencies?
7 And what did the agencies expect from the Council members? And
8 then there was just talk.

9
10 So that gives you in the record, really what went on.
11 And we'll try to do that in the future but it, you know,
12 requires bringing everybody in and it requires some logistics
13 so hopefully we can match that in the future.

14
15 MR. GOOD: Mr. Chairman.

16
17 CHAIRMAN MILLER: Go ahead, Nat.

18
19 MR. GOOD: Just as a very quick aside, I would ask that
20 you direct the secretary to write a letter to all Council
21 members regarding the problems we had in getting this meeting
22 together and the importance of attending the meetings. Rather
23 than send this to individuals and tell them they were a
24 problem, if we send it out in a very neutral fashion to
25 everybody, perhaps we could get better attendance at our next
26 meeting and not have the difficulties we did at this one.

27
28 CHAIRMAN MILLER: So be it directed there.

29
30 MR. GOOD: I'm directed.

31
32 MR. MATHEWS: Okay. For my understanding, you want a
33 letter sent to all the members about the importance of
34 attending meetings?

35
36 MR. GOOD: And the difficulties that we had in getting
37 this meeting together.....

38
39 MR. MATHEWS: Okay.

40
41 MR. GOOD:to illustrate.

42
43 MR. MATHEWS: Okay, and I'll get it to the Chair for
44 signature when I can.

45
46 MR. FLEENER: Why to the Chair, isn't Nat the
47 secretary?

48
49 MR. MATHEWS: Well, unless you want to do it, that's

50 fine.

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1 MR. GOOD: I'll do it.

2

3 MR. MATHEWS: Okay, then just give me a copy of it.

4 Boy, that's great.

5

6 CHAIRMAN MILLER: Okay, we're down to other member's
7 reports. Any other reports?

8

9 MR. P. TITUS: Checking up on other advisory committees
10 for fish issues.

11

12 MR. MATHEWS: Oh that, right, that will come up when we
13 have other.....

14

15 CHAIRMAN MILLER: Do you have something Nat?

16

17 MR. GOOD: I think it will come up later, let's just
18 move the agenda.

19

20 MR. MATHEWS: If you're talking about the Southcentral
21 overlap, that will come later unless.....

22

23 MR. GOOD: And the Southcentral meeting that we
24 attended.

25

26 MR. MATHEWS: Oh, that, yeah, you could probably do
27 that now or just wait until the topics that were covered.....

28

29 MR. GOOD: It might be more appropriate to do it all at
30 once. Keep the continuity in one place.

31

32 MR. MATHEWS: Right. So people don't get lost, there
33 was countertalk or dialogue Southcentral meeting. So that will
34 come up when you talk about proposals that were deferred.

35

36 CHAIRMAN MILLER: Let's move down to agency reports.

37

38 MR. MATHEWS: Okay, agency reports. The first one is
39 -- this is the list that's been -- you've used over the years
40 so the first would be Native corporations, if they would like
41 to give any type of report and then it would be followed by
42 Fish and Game but I think we're going to have to be flexible
43 with that because of people flying in. And then Bureau of Land
44 Management and then Fish and Wildlife Service and the National
45 Park Service. Unless they've cooked up a separate deal out
46 there, but that's the way it is right now. So if there's
47 somebody from either Tanana Chiefs or any of the other Native
48 villages or corporations that would like to speak, the mic is
49 available.

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1 CHAIRMAN MILLER: So Gabe the floor is all yours now.

2

3 MR. SAM: It's a long walk to the front of the room.
4 Hello, Craig.

5

6 MR. FLEENER: How's it going?

7

8 MR. SAM: Pretty good.

9

10 CHAIRMAN MILLER: Let me get you to start, Gabe, by
11 your name and who you're representing.

12

13 MR. SAM: Okay. My name is Gabe Sam. I'm the director
14 of wildlife and parks for Tanana Chiefs Conference. I'm here
15 to give a report on some of the things that are our concerns
16 and it's the same report I basically gave at the Western
17 Interior. First of all, I thank you for this meeting and the
18 way the public process is involved and throughout the whole
19 region, actually.

20

21 Right now one of the most concerns we are still working
22 on is the fishing disaster. That and the wolf snaring
23 initiative has basically taken over my life as of now. I sit
24 as co-chair on the wolf coalition to protect our culture.
25 Before it was an issue of a trapping issue, it's no longer a
26 trapping issue. We had a poll done that can show that this
27 wolf -- ban the use of snares to trap wolves is a tool that's
28 going to totally eradicate the Native culture. That's what
29 it's designed for.

30

31 There has been comments by opponents that our way of
32 life is arachic and barbaric, and sooner it becomes extinct,
33 the better for the state of Alaska. That was made by a lady --
34 actually I should remember her name but I fail to remember her
35 name for the second time. And right now we are in the process
36 of raising money. And this is one of the first times I've ever
37 had to try to raise \$250,000 in a little less than a month and
38 a half. I always thought our corporations, our regional
39 corporations were going to, you know, protect our culture. And
40 our mission statement for a lot of our regional corporations is
41 to protect our culture and enhance them if we could. But for
42 some reason or another they couldn't see fit to donating 20 or
43 25,000 or 50,000 to help protect our culture. So we're having
44 to raise money in other sources, by fundraising with raffle
45 tickets and stuff like that. Even the smaller corporations,
46 our village corporations are donating more money than our
47 regional corporations. There is clearly something wrong with
48 that when it comes to that.

49

And I don't know how relevant it is for this area, I

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1 was sitting back there thinking about what I'm about to give
2 reports on is -- has to do with other regions, other areas that
3 I don't know if is effected by what goes on in the Western
4 Interior. We have a big game outfitter in the Western Interior
5 that's not within the laws, he's breaking State and Federal
6 laws and I couldn't seem to find anybody that's going to come
7 up and -- you know, from the upper levels to say, yeah, he's
8 breaking the law. So far the responses I'm getting is, oh,
9 shooting a few sea gulls, that's no big deal, that's nothing to
10 pull his license for. But when a Native person shoots a sea
11 gull, they're jumping all over it, you know. And you know, we
12 worked on some cases around Fairbanks where a Native elder, a
13 Gwich'in elder and Inupiat elder from Barrow shot a moose. It
14 was like 48 inches, just a couple inches shy of the legal size.
15 It had three brow-tines instead of four brow-tines, yet they're
16 prosecuting them. They took the time to skin the moose, take
17 care of the meat and you know, these are old people and they're
18 still going forth with the case. And here's a guy that's
19 making 300 or 400,000 a year, he's going out of his way
20 shooting sea gulls with the analogy that it's for the benefit
21 of fish fry that's swimming down the river. Now, that may be
22 the case, but still he's breaking the laws. I mean where do
23 you draw the line?

24
25 And you know, there was no public process on whether
26 the -- on the Koyukuk River that opposes the renewal of his
27 permit to hunt in GMU 24. And you know, from what I understand
28 his license has already been renewed -- or not license, but
29 permit. It was renewed way back in late July, it was up for
30 renewal on October 1. Now, why would you renew somebody's
31 permit when it's up in October 1 in July; that don't make
32 sense. There was no public process. Well, wait there was some
33 public process, the village corporation and the regional
34 corporation were notified, Koyotson (ph) Corporation objected
35 and Doyon supported Koyotson's objection. But there was no
36 public input from the villages that are effected by this big
37 game operator.

38
39 So far I haven't had the time to sit down with somebody
40 and discuss this out and try to figure out if there's another
41 avenue that I could take to get this corrected. I mean what's
42 going on here is it's not about -- it is about money. It is
43 primarily about money, that's all it is. And what it's doing
44 is it's tearing up the communities, you know. And I think
45 there should be something said about that. There's got to be
46 some kind of more stricter restrictions on these big game
47 guides because there's no -- once they're out in the field,
48 who's watching what they're doing, you know? Who's monitoring
49 what they're doing? As all you know when you shoot a moose you

50 go into the woods and you try to find it. Whether it goes

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1 three miles, five miles, you try to find it, you know, that's
2 just the way I was brought up. If you wound a moose, you know,
3 you got to go try to find it, dark or not. Not let it walk
4 away and go back on their feet in the woods and say, oh, it's
5 gone, that it and you know take off. But that's what they're
6 doing. They're shooting moose -- I mean these are allegations
7 that are going to be brought up by the master guide's,
8 assistant guides. They shoot moose, they go up on the bank, if
9 it's not up on the bank, they get back in the boat and -- well,
10 this guy paid us \$8,000, by God, we're going to find a moose,
11 you know, that's the analogy that's being used. And so I think
12 there has to be stricter restrictions on these guide
13 outfitters, you know, at least monitoring what they're doing
14 out there. There is just way too much things going on out
15 there that there's no need for it.

16
17 But that's one of the biggest things, I think, we're
18 working on. As of yet, like I said, I've talked to a lot of
19 different people and we're trying to figure out the avenue up
20 to the top and there's a lot of doors to the top and one of
21 them's always falling back down to the bottom. So until I
22 figure out who I'm talking to, we're just going to keep going,
23 I guess.

24
25 Basically it is disrupting the community. It's got
26 friends that are no longer friends, you know, and they have to
27 live in the same community. Even brothers and fathers.
28 Brothers don't see exactly why their father is working with a
29 big game outfitter, well, you know, there are reasons for it
30 and, you know, like I said, there's limited jobs out there in
31 the community so you have to find whatever job's available.
32 And a lot of people, you know, we're all saying we have to
33 protect our resources, protect our resources. But what price
34 are you going to put on that until you say, well, you know, I
35 got three kids to feed, this guy is willing to pay me \$5,000, I
36 got to feed my kids, you know. And I can't argue with that but
37 we have to find other avenues for employment in our villages.
38 And I don't really see selling the only resources that we're
39 going to be depending on in the future, down the road, for a
40 few bucks now. And that's the position we're taking. And
41 we're directed by the villages for that position.

42
43 MR. FLEENER: Mr. Chair.

44
45 CHAIRMAN MILLER: Go ahead, Craig.

46
47 MR. FLEENER: You mentioned TCC's been involved in --
48 you've been involved in the fishing disaster, what sort of
49 involvement have you guys had so far?

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1 MR. SAM: So far we've been working closely with the
2 State, mostly with the State. They have been -- we did an
3 assessment that we sent out to all the villages -- when it was
4 first going out it had -- the State was preparing to go to
5 these villages they had slotted, what we found out was the
6 State is working just with the city governments, not the tribal
7 organizations, but the city governments. And so when they
8 contacted the city governments, a lot of the people didn't know
9 that they were coming, that weren't aware that there was going
10 to be a group of people in here taking applications. So we
11 sent out an assessment to all the villages, it basically was to
12 define what -- are they a commercial fisherman, a subsistence
13 fisherman, or you know, where do they get their fish, you know.
14 And if they were commercial fishermen or helpers, they'd be
15 allowed for like \$1,500 per person, and it wasn't cash, it was
16 vouchers for gas, oil, heat and food, and for families it was
17 like \$5,000. But there has been villages that were deeply
18 effected like up around the coast, coastal villages that did
19 not catch any fish at all. And so we're saying that, you know
20 -- on the Koyukuk River, for example, they did not catch any
21 fish at all. And they have -- it's no big secret but we have a
22 lot of dogs on the Koyukuk River that utilizes the fish all
23 winter long. My dad, alone, has like 35 dogs and he's training
24 for some mid-distance races and he uses a lot of fish for the
25 dogs. And so the angle we're taking was trying to find fish
26 for dogs and we did from the hatchery down in Valdez. But the
27 problem is to get it transported to the villages. The State
28 could not see fit to transport food for dogs, you know, to the
29 villages, you know, to feed dogs. And our argument is, these
30 dogs, although some are used for racing, a lot of them are used
31 for work. Hauling wood or breaking trail or taking dogs out to
32 the trapline and using them out on the trapline. And that's
33 part of subsistence. They're a tool for subsistence gathering.
34

35 And then we found out there's -- which we're notifying
36 all the subregional directors, that there is fish available at
37 Unalakleet. There's -- it was either 180,000 or 150,000 pounds
38 of fish at Unalakleet that's for human consumption. They're
39 headed and gutted and individually wrapped and they're in four
40 by four totes. So if you know of a community where there's --
41 people who have been using fish but have not gotten any fish,
42 you know, I was talking with Jeep earlier, because you're not
43 on the river does not mean that you're not -- that you don't
44 use the fish. You get fish from friends and family, you know,
45 you share, trade for moose meat or caribou meat or something.
46 But there's villages out there that do not have any fish and
47 this is available. And the State will pay for the freight,
48 flying in the fish. They're just trying to logistically find
49 an easy way of going from Unalakleet, stopping off at each

50 village and dropping fish off. So how much pounds you think

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1 your community would need, it's important.

2

3 But, yeah, this has been all through the year with
4 teleconferences, you know, from all the way -- you've been
5 hearing where we need our subsistence needs, but as you go
6 farther up the river it kind of drops off pretty dramatically,
7 you know, up the Yukon and in the Tanana River, a lot of people
8 did not have an opportunity to put away enough fish for the
9 winter.

10

11 So that's -- I think that's where we're at with that
12 right now. Gerald.

13

14 MR. NICHOLIA: Mr. Chair, because of the fish disaster,
15 empty freezers -- because there's a lot of people along the
16 Yukon do depend heavily on fish to fill their freezers and it
17 has forced some people in my area to do illegal hunting just to
18 fill their freezers. And I think the State and Federal
19 government should be more lenient since they're the management
20 bodies that is responsible for all this mismanagement and
21 whatever, I believe, that's happening, should be more lenient
22 on elders. Especially the elders who are taking care of their
23 grandchildren. They should be more -- they should spend more
24 time in the villages than in the city if they're going to be
25 managing our country, that's the way I look at it.

26

27 That's all I have.

28

29 MR. GOOD: Mr. Chairman.

30

31 CHAIRMAN MILLER: Go ahead, Nat.

32

33 MR. GOOD: One quick thing, I picked these up Gabe, are
34 you tied in with these at all here?

35

36 MR. SAM: Yes, I'm the co-chair of the coalition. We
37 have ads running and I just -- before I came over here I had a
38 sit down chat with Will Mayo, my president, and he said, I got
39 a phone call that you're running some pretty graphic ads. And
40 I was like I wasn't aware of it, you know. I know we have
41 three commercial ads that are running on TV right now. And I
42 saw all three of them and they don't look graphic at all to me.
43 And so I said, no, there's no graphic ads we're running. And
44 he said, well, it shows one wolf and a snare and it's chewing
45 its arm off, and I wasn't aware of that one so -- but I found
46 out that's our opponents that's running. But they make it look
47 like it's our ad that's out there.

48

49 So I guess they pull it from some Anchorage stations

50 and you know, we don't have -- they have in excess of two

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1 million dollars, our opponents. And some woman dropped in
2 500,000 because she likes wolves and the pristine environment
3 and they look so cute and cuddly and whatnot. You know, at AFN
4 I heard -- we had Ben Nogiak speak on behalf of us, you know.
5 And one of the comments he made was snared, shot or just drop
6 dead of old age, I'm not giving up my ruff, you know. And I
7 couldn't -- I'll always remember that comment he made.

8
9 But you know, this is a clear attack on the Native
10 cultures. And, you know, the outside special interest groups,
11 you know, what have we ever done to them that was so bad?

12
13 One other thing I wanted to make was -- we talked about
14 this in Allakaket pretty extensively was, to have a U.S. --
15 either U.S. Fish and Wildlife or ADF&G to have a check station
16 in Huslia. I had the opportunity to go back to Huslia to hunt,
17 you know, hunt with my dad because, you know, he's getting up
18 there in age, and you know, I remember the days when he used to
19 take us out and he's still cranky as ever if it's raining.
20 But I saw a lot of things going on in the village, you know, by
21 our own people, illegal guiding on going on on the side, and
22 people just watch them. I guess it's out of fear that, you
23 know, something would happen to their motor, and you know, boat
24 and motors cost a lot of money. If somebody blows a hole
25 through your engine or -- you know, you don't have much money
26 to buy anymore. So nobody really contests it. And you know,
27 personally I caught one guy up there that had three moose on
28 the runway, with one harvest tag and he was from Texas, using a
29 Texas hunting license. And I guess he was sighted in Fairbanks
30 for wanton waste, and I don't know what he was fined, I never
31 followed up on that one. But you know, he almost got away just
32 like that. I was asking him how did you go out, who did you go
33 out with, but he didn't want to tell me. He was just trying to
34 get out of Huslia as fast as he could because there was a crowd
35 -- and you know, I'm not much for making a big scene or
36 nothing. But I guess I said a few things that was getting
37 everybody riled up and you know, he's lucky there was no rope
38 around.

39
40 But those are some of the things we're working on right
41 now. And you know, I'm also on the Migratory Bird working
42 group. We had one meeting up in Anchorage in March, last
43 March, with RurALCap. And we're just trying to figure out the
44 management body, you know, on the Fly-Away Councils and how it
45 should be and who should be the players on the management
46 bodies. We know it's going to be U.S. Fish and Wildlife, ADF&G
47 and the Native people. But it has to be equal, you know, equal
48 say. And how do you do that? I mean you have ADF&G and U.S.
49 Fish and Wildlife and then the Native people; is that equal? I

50 don't know. That's one of the questions we have. That was a

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1 major topic of discussion. And I was looking at the schedule
2 here and I thought they were going to be here but I guess
3 they're not. So that's one of the things we're working on.

4
5 And you know, just to make our spring hunting legal for
6 the return of the migratory birds. So we no longer have to
7 hide when we hear a plane coming, you know.

8
9 So I don't want to take up too much of your time, I
10 know we've waited like four and a half days now, thanks to
11 Vince and his crew.

12
13 Okay, well, that's all I have unless there's anymore
14 questions?

15
16 MR. P. TITUS: I have a question. You said the State
17 would only deal with city governments. Is there a particular
18 reason for that?

19
20 CHAIRMAN MILLER: Because they don't recognize tribal
21 governments.

22
23 MR. P. TITUS: I know but do they flat out say, we
24 don't recognize you guys?

25
26 MR. SAM: No, they were contacting the city governments
27 but a lot of the villages, like Huslia, for example, they have
28 a city and village council. But a lot of people go to the
29 village council rather than the city council.

30
31 MR. P. TITUS: Well, Minto only got a village -- I mean
32 tribal government.

33
34 MR. SAM: That's why you didn't see on the list of
35 contact places where they're going, Minto was not on the
36 disaster relief list.

37
38 MR. P. TITUS: So we don't eat fish. The State says we
39 don't eat fish. That's a dangerous thing to do to say, some
40 Native people don't eat certain foods because -- we'll just
41 automatically cut it out because it don't show on paper that
42 they don't eat it when actually, in fact, they got smokehouse
43 full of fish or fish in the freezer. If the State is ignorant
44 of that, that's pretty stupid place to be.

45
46 MR. SAM: On District Y-4, the Koyukuk River is part of
47 District Y-4, and a lot of decisions that are being made in Y-4
48 effects the Koyukuk River, but the Koyukuk River was not part
49 of the disaster plan. And we had to argue hard for the

50 Koyukuk River because they utilize a lot of the fish. And so

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1 how we -- we knew -- we were getting calls from the village
2 councils, we don't have any fish, you know, we need an early
3 moose hunting season to catch moose now so we can beat the rush
4 of moose hunters that's going to be coming up the Koyukuk River
5 so we put in a petition to the Board of Game to get an early
6 moose hunt. And you could not do that without including all of
7 GMU 24 communities. And so they got their early moose hunt for
8 the Koyukuk River, it opened like five or six days early. And
9 a lot of people did get their moose.

10
11 You know, it's no big secret, Huslia's got a lot of
12 moose. A lot of record moose came out of there. And you know,
13 for how long that's going to happen, you know, I'm not a
14 biologist or nothing, but I know you can't take 500 moose out
15 of an area every single year unless somebody's transplanting.
16 Maybe Craig Gardner's got a moose transplanting operation going
17 over there or something. But you know, I just don't see that
18 happening very much longer.

19
20 MR. P. TITUS: The assessment that you're sending out
21 and some villages are not recorded, I don't want that to be the
22 basis for them to be cut off from any resources. Because when
23 they look on paper they'll say, oh, they don't need it so we'll
24 just take it away from them.

25
26 MR. SAM: They're still evaluating the applications
27 they got. They got four or five or 6,000 applications, the
28 State. And a lot of them are -- they have to screen them.
29 There's applications even coming down from the Lower 48
30 claiming that they were going to come up here to fish. They
31 come up here every summer for the last five years, made how
32 much money and, you know, it's effecting their ability to get a
33 job. In my opinion it's too bad, you know. There's a lot of
34 people up here that don't have jobs and they live here.

35
36 So I know we've sent all 43 villages in the region an
37 assessment study and Minto should have gotten one of them.

38
39 MR. P. TITUS: No.

40
41 MR. SAM: No. Call up the emergency number and see
42 what's going on.

43
44 CHAIRMAN MILLER: Go ahead, Nat.

45
46 MR. GOOD: Just one last thing on the wolf thing. You
47 know, it's a very emotional thing. I think it would be a good
48 idea if you got into the emotional aspect. If you go back to
49 last year's Reader's Digest, there is a very nice story in

50 there about a family in, I think it was Northern Michigan

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1 perhaps, that was camping, two small boys and the parents. I
2 think the boy was attacked by a wolf in the middle of the
3 night, dragged from the tent by his head, was about eight years
4 old. I think he barely survived the attack. The parents
5 managed to drive the wolf off and recover him. They had to
6 paddle by canoe. They managed to get him to a hospital. The
7 boy did survive. It's taken a lot of reconstructive surgery.
8 It was very close. You know, if you're going to get into the
9 emotional part of it, this is not only emotional but very
10 factual, and it does show that wolves do not live in clouds or
11 they're not religious creatures to be worshiped by human
12 beings. They're simply an animal that has to survive.

13
14 MR. SAM: You know, Nat, we did look at that aspect of
15 it. But I have to disagree with you in some parts. Because in
16 our Athabascan culture, we see the wolf as a very powerful
17 animal. At one time in our stories, it used to walk upright
18 and was one of the greatest hunters for our people. And then
19 somebody got this great hunter mad and so he got down on all
20 fours and left the community, you know, left the village and
21 just hunted on his own. You know, that's some of the stories
22 we have. And our memorial potlatches, we put it on a cloth all
23 the way around and we dance with it. And the skins that we put
24 on the walls cannot touch the floor, that's how much we respect
25 these animals. But at the same time, there's so many of them,
26 we're competing for the same resources.

27
28 You know, it's not like back in the '70s when they used
29 to hunt them with airplanes. It's not like that. And we had
30 footage from a young, Siberian Yup'ik -- or Native kid from
31 Russia was being drug around the village and the people are
32 running after him and a wolf drug this kid -- a little kid,
33 took him out into the tundra somewhere and they never saw him
34 again. You know the coalition that I'm on, we're very diverse.
35 You know we have parts of the Outdoor Council, Alaska Trappers
36 Association, you know, different groups we're in alliance with.
37 And it's just a very temporary alliance the way I see it.
38 We're in it just to fight this one cause. We agreed, we're
39 going to put all our differences aside and not use any
40 organization as their political clout or whatever they may
41 choose. We're just fighting this one ballot initiative. After
42 we win this one, you know, it depends on whether this will
43 dissolve or, you know, keep in contact or whatever.

44
45 But you know, that's pretty much it.

46
47 MR. NICHOLIA: Mr. Chairman, I'd like to say something
48 on this wolf issue. Do you think Native people, rural trappers
49 are so bad for murdering wolves, but just think of this, what

50 does the mass culture, mass society do to chickens, cattle?

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1 Put that in the same perspective for those animal rights groups
2 before they try to look at our life and try to regulate our
3 life where they don't even understand our cultural connections
4 to our lands or anything like that.

5
6 They got to look at themselves first and turn their own
7 animal rights groups or whatever they want to on themselves
8 before they look at our cultures. Because we're more connected
9 to our land with respect and spirits, our spiritual connection
10 to our land than the mass culture is. Our culture is unique
11 and we respect our animals and we respect our land and we
12 respect our tribes. We're one big family. We help people
13 that's down, we bring them back up. And when I go in the city
14 I don't see neighbors helping neighbors, nothing, they walk
15 away from it. They look away when they're in need. It's not
16 like that in the village. That's one distinction that people
17 have to understand in their urban world.

18
19 MR. SAM: If we lose this ballot initiative, you can be
20 for sure next year it's going to be the leg-hold trap and
21 what's after that I don't know.

22
23 MR. SAM: By the way where did you get that?

24
25 MR. GOOD: I picked them up in a meeting someplace
26 where this was being discussed. I think it was my own fish and
27 game advisory meeting as I recall.

28
29 MR. SAM: They had a fundraiser up in Tok about a
30 couple weeks ago. I went up there with my family to go check
31 it out and stuff and I didn't know it was going to be an
32 auction. You know, they were fundraising stuff up there and I
33 ended up buying like 500 foot of rope, I don't know what I'll
34 use it for. But it was fun. It was -- I wish there was more
35 Native people that attended that, but you know, it was good to
36 meet new people and conquer new worlds and whatnot.

37
38 MR. FLEENER: Mr. Chair.

39
40 CHAIRMAN MILLER: Go ahead Craig.

41
42 MR. FLEENER: I know that they're handing these out all
43 over Fairbanks. Somebody gave me a big pile full and said,
44 here, hand these out to all your friends. So I don't know.

45
46 MR. SAM: We have like over 250,000 made up and they're
47 going all over the state. Well, thank you for your time.

48
49 CHAIRMAN MILLER: Thank you, Gabe. Anymore questions?

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1 MR. MATHEWS: Mr. Chairman.

2
3 CHAIRMAN MILLER: Vince.

4
5 MR. MATHEWS: There will be a presentation on migratory
6 birds. But what Gabe is alluding to is that our meeting
7 followed in Allakaket a full blown public forum on the
8 migratory birds. But I believe Bill will be giving an update
9 on the Migratory Bird Treaty Amendments and it's in your
10 packet.

11
12 The other thing that we did is we walked right over the
13 addition to the agenda for the issue that Gerald brought up on
14 fees trapping because that was going to go under member's
15 report. I did talk to other Fish and Wildlife Service Staff --
16 not all of them, but ones that I knew might have connections on
17 this, there's no one here to speak on it. So I think what
18 we'll do is I can pass out the letter from the advisory
19 committee and then I think.....

20
21 MR. NICHOLIA: I got it.

22
23 MR. MATHEWS:Gerald has a proposal, and I have
24 not seen that, so I don't know what that addresses. But we did
25 walk over that and go right into agency reports.

26
27 MR. NICHOLIA: Here is the proposal from concerned
28 trappers in Tanana that is very much effected by these fees and
29 pretty much.....

30
31 MR. MATHEWS: I'll pass them out. All right, then we
32 do have something to discuss here then because there's a
33 proposal to the Federal Subsistence Board and we need to look
34 at it real quick here.

35
36 CHAIRMAN MILLER: Say Vince, would it be better to look
37 at this when we start going through proposals?

38
39 MR. MATHEWS: It might be.

40
41 CHAIRMAN MILLER: We got a whole list of proposals here
42 to go through.

43
44 MR. MATHEWS: For the record it will give Staff time to
45 look at what changes Stan is trying to look at for Federal
46 regulations on trapping.

47
48 CHAIRMAN MILLER: Is Terry here?

49

MR. MATHEWS: Yeah, he's here. The other ones aren't

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1 here yet.

2

3 CHAIRMAN MILLER: I guess we're going to take 10
4 minutes.

5

6 (Off record)

7 (On record)

8

9 CHAIRMAN MILLER: I'd like to call this meeting back to
10 order. Well, Terry, it looks like the floor is yours now.

11

12 MR. HAYNES: Thank you, Mr. Chairman. My name is Terry
13 Haynes, I'm the state wide coordinator for Subsistence
14 Division, Department of Fish and Game. I don't know if you
15 want us to go ahead with our presentation. Two department
16 staff aren't here yet who are planning to fly out this morning.
17 Tim Viavant from Sport Fish and Division and I can make very
18 short reports now and when the wildlife biologists arrive they
19 could give their presentation or we could wait and do our
20 department presentation all at once; whatever you prefer?

21

22 CHAIRMAN MILLER: Okay, we'll just wait for the
23 biologists to show up then.

24

25 MR. HAYNES: Okay, thank you.

26

27 CHAIRMAN MILLER: Let's see BLM then.

28

29 MR. MATHEWS: Yes, there is somebody here from Bureau
30 of Land Management.

31

32 MR. HERRIGES: My name is Jim Herriges. I'm with BLM
33 in Fairbanks. I work primarily in the Steese and the White
34 Mountains area. Ruth Gronquist who would normally be here
35 wasn't able to make it due to some family health reasons, so
36 I'm basically sitting in for her to primarily listen. As such,
37 I don't really have a formal agency report to present. And so
38 I'll help you move the meeting along, I'll just be here
39 listening and try to answer any questions or hopefully being
40 able to get the answers to questions if you have any.

41

42 The only item of interest that I'll mention just
43 briefly, because I was involved with it, is last fall, BLM,
44 Fish and Game conducted a moose sensus in the White Mountains
45 and the Steese area. Basically most of Unit 25(C), and this is
46 -- despite the fact that it's pretty close to Fairbanks is
47 basically the first moose census that's been done in the area.
48 So it's kind of a baseline type of an effort. And we came up
49 with roughly a little over one moose per two square miles

50 density over the whole entire area with higher densities in the

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1 White Mountains, the Beaver Creek drainage and medium densities
2 in upper Birch Creek and very low densities in the Preacher
3 Creek area.

4
5 So unless there's any concerns or anything I can get at
6 right now, I'll call that good.

7
8 CHAIRMAN MILLER: Go ahead, Nat.

9
10 MR. GOOD: I have one question. This deals with the
11 maps and the Federal lands. They've been changing. And for
12 instance, the one we have up here is out of date. Have they
13 changed -- and you may not know the answer to the question, but
14 has there been any significant changes in Eastern Interior?

15
16 MR. HERRIGES: I can't -- I know that you're correct,
17 the land status does change. And I believe, for instance, some
18 of the land that was selected by the State over in the Black
19 River drainage is -- has since been deselected, I guess. I'm
20 not sure what the exact term is. And I don't believe that's
21 reflected on that map there. I'm not aware of any major, you
22 know, very large chunks of land but that possibly could be an
23 issue to bring up. I'm not sure who is the -- who would be the
24 responsible person for updating these and whether or not they
25 are tuned in directly to the land status issue.

26
27 MR. GOOD: Well, I understood that, you know, that
28 perhaps satellite imagery and some other means have been used
29 recently to clarify where Federal lands were. And I was just
30 kind of asking this since you had.....

31
32 MR. MATHEWS: Well, the maps that are in question, if
33 they're the Regional Council maps, basically they are updated
34 periodically. But I have my traveling copies which are
35 probably out of date. So they're used as a kind of point of
36 discussion not an actuality. So if we did end up with a
37 detailed -- I mean a situation or issue, then we'd have more
38 detailed maps.

39
40 My understanding, and Tom may be able to clarify this,
41 we are linked with the other agency in our mapping but he can
42 clarify that further.

43
44 MR. BOYD: Well, that's correct. We're in contact --
45 we have people responsible to update maps. And you just can't
46 turn it around real quick. But annually we do review our land
47 status, particularly for the regulation booklets. And we try
48 to make sure that they're the most current that we can make
49 them. But that's the goal, not necessarily the reality.

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1 MR. MATHEWS: And probably what I'll need to do is
2 cover this so we don't have this problem in the future is, the
3 maps that I'll use will be dated. Because for my purposes and
4 unless the Council doesn't want it that way, these are mainly
5 for public use and et cetera, to get an idea where the region
6 is and in general, the land status.

7
8 So what I'll have to do is clearly date them so it's
9 clear to you on that. Updates come out of Anchorage office,
10 but I'm not in Anchorage office, so I'm -- you know, so I'll
11 accept some responsibility for it. But what I'll do is I'll
12 just date them so that way when we get into a discussion like
13 this in the future we'll look at the most current date.

14
15 CHAIRMAN MILLER: Thank you. Moving on to update of
16 Migratory Bird Treaty Amendments and new regulatory process.

17
18 MR. MATHEWS: Well, Mr. Chairman you do have that
19 report if you want to refer to it under Tab D as in Delta
20 Junction. There is also handouts at the back table, too, on
21 this all. And Bill will probably inform you that it's -- it
22 doesn't fall under ANILCA but it is of interest obviously to
23 the Council.

24
25 MR. KNAUER: Thank you, Mr. Chairman, Bill Knauer here.
26 Right now the Fish and Wildlife Service, in corporation with
27 the Alaska Department of Fish and Game and the Native community
28 are conducting hearings around the state. There are about
29 seven or eight hearings that are being conducted in the Eastern
30 Interior area. There was a hearing on September 29th in Ft.
31 Yukon.

32
33 And these are essentially a scoping meeting to get
34 people's opinions and ideas on how the management bodies should
35 be set up. The management bodies will be similar to Regional
36 Councils, in that, they will provide advice and help with the
37 development and implementation of the regulations. And the
38 management bodies have -- some of the suggestions have varied
39 all the way from one management body for the entire state to a
40 large number of bodies.

41
42 And after the -- all the hearings and the comment
43 periods are over, the people that are involved in this, in
44 fact, Gabe Sam has also participated and TCC is a participant
45 in this, the indications that I have is that they will probably
46 establish some working group to examine all of the comments and
47 come up with some recommendations as to what the structure of
48 the management bodies should be. How many there should be and
49 where they should be located.

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1 And the Councils will be informed throughout this
2 process as to what's happening even though it is not part of
3 Title VIII and under the Regional Councils. So you will
4 receive regular updates on this.

5
6 CHAIRMAN MILLER: Any questions?

7
8 MR. MATHEWS: If you do have additional questions,
9 there's a phone number there to contact or call me and we'll
10 link you up with that person. But obviously you have Gabe Sam
11 here to talk on detail if you do, on breaks. And it is an
12 important process.

13
14 CHAIRMAN MILLER: Who's doing overview of Land
15 Protection Plan Process?

16
17 MR. MATHEWS: Mr. Chairman, this is a topic that you
18 had towards the second day of your meeting in Tanacross. And I
19 think Greg's going to talk about it. I'm trying to find in
20 here where there's a letter that was sent to you all on the
21 general overview of the Land Protection Plans. And then Greg
22 and others may talk about more details on the Yukon Flats, and
23 if there is more information on Tetlin.

24
25 MR. McCLELLAN: Mr. Chairman and Council, my name's
26 Greg McClellan, Subsistence Coordinator with Yukon Flats and
27 Arctic Refuge. And as Vince mentioned, this was brought up at
28 the Tanana meeting, Tab F. There's a letter dated March 18th
29 that was sent to the Chair. And I drafted up this letter in
30 conjunction with Danielle Jerry who's the person in the
31 Division of Realty who's in charge of overall making the --
32 writing up the land protection plans for all 16 refuges.

33
34 And a couple more updated information besides the
35 information in the letter is that, as of to-date there's three
36 LPPs that have been completed. One for Kodiak Refuge, one for
37 Kenai and the Yukon Flats Refuge, and then the Izembek is
38 currently at the printers and should be out sometime this year.
39 There are current LPPs that are being worked on for Kanuti,
40 Alaska Peninsula, Becharof and Togiak and with the hope that
41 those will be completed sometime in '99. And then Alaska
42 Maritime Arctic, Innoko, Koyukuk, Nowitna, Selawik, Tetlin and
43 Yukon Delta are still to be scheduled. And it is both Service
44 and Department policy, not regulation, that mandates LPPs. And
45 basically the Service or Refuge needs an LPP to acquire any
46 property through the Land and Water Conservation funding, which
47 is the main source for acquiring refuge land in Alaska.

48
49 It's mentioned in the Yukon Flats LPP that Migratory

50 Bird Conservation funding or Duck Stamp funding cannot be used

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1 to acquire property in Alaska because the State of Alaska has
2 not ratified the use of these funds for land acquisition within
3 the state.

4
5 But that's -- as far as a general overview, I wanted to
6 bring up. If there's any questions I'd be happy to try to
7 answer them.

8
9 MR. FLEENER: Mr. Chair.

10
11 CHAIRMAN MILLER: Go ahead, Craig.

12
13 MR. FLEENER: Since I was the one that brought up the
14 LPP at the last meeting and I have considerable discussions
15 with a lot of people about it, I requested that we have an
16 information update on it. And I was hoping that we'd probably
17 go into more detail as to why, but I think we've probably gone
18 into enough. It sounds like the purpose is to acquire more
19 land, and you can't acquire more land without having an LPP.

20
21 MR. McCLELLAN: Correct.

22
23 MR. FLEENER: Currently what's the size of the Yukon
24 Flats Refuge?

25
26 MR. McCLELLAN: The exterior boundary is 11. something
27 million acres. 11,169,643 is the external boundary. Under
28 Federal ownership is 8,456,795. And the rest is either Native
29 conveyed, selected or Native allotments.

30
31 MR. FLEENER: And in what -- in comparison to all the
32 refuges in the United States, where does this -- size wise,
33 where does this fit?

34
35 MR. McCLELLAN: Well, the Yukon Flats is the third
36 largest refuge in the system.

37
38 MR. FLEENER: And it's pointed out in the LPP that
39 there are a lot of different types of developments that the
40 Land Protection Plan is opposed to and recreational cabins
41 being part of that, lodges being part of that and a number of
42 other things, what practical and real threats has the Yukon
43 Flats Refuge been faced with recently by the -- basically by
44 the users of the Yukon Flats that would warrant trying to
45 protect the Yukon Flats because it's in some possible jeopardy?

46
47 MR. McCLELLAN: I'm not specifically aware of it, on
48 Page 32, on the Yukon Flats Land Protection Plan, and I have
49 extra copies if folks want to pass them out or I can give, but

50 on Page 32 it states in the LPP that currently there are no

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1 major imminent threats to fish and wildlife habitats on the
2 private lands within the Refuge that could be alleviated by
3 habitat protection measures described in this LPP.

4
5 MR. FLEENER: And you've probably already figured it
6 out by now where I'm going with all this, but my whole intent
7 for getting to that is that I, myself, and quite a few people
8 that I've talked to really don't think that there's a need for
9 a Land Protection Plan. And it's very offensive sounding to
10 many of the residents, especially in Ft. Yukon, the ones who
11 I've talked with, that believe that the Federal government
12 actually wants to buy their land under the idea that it's meant
13 to protect the resources. We don't think that the resources
14 are in trouble because of those reasons, you know, lodge
15 development, timber development, whatever the other
16 possibilities. We don't think there's any trouble. And the
17 Yukon Flats has actively bought land already within the Yukon
18 Flats Refuge.

19
20 To us, that is a -- it seems to be a breach really of
21 the trust that many Native people and a lot of our tribal
22 governments feel they have with the Federal government. You
23 know, the Federal government, most tribal governments believe
24 is there to help the tribes to try to protect tribal land from
25 hostile takeovers. And I've talked with Ted Heuer about this a
26 number of times and he's assured me that this is not a land
27 grab, not a land buy out. But if we don't have any trouble, if
28 there's not any real concern, why then is the Fish and Wildlife
29 -- and I'm not really asking you this question, but why then is
30 the Fish and Wildlife Service actively seeking to buy Native
31 owned land? And in the LPP it points out that we'll have a
32 subsistence priority on these lands, that we're going to --
33 that the Fish and Wildlife Service is going to buy, but what
34 good is it, in my opinion, it is no good -- but what good is
35 the subsistence priority if you don't own land to hunt on?
36 Certainly you'll have -- the Fish and Wildlife Service will
37 have that land and we may have a priority on it, but where are
38 we going to live? And where are we going to build our houses
39 and raise our children? And certainly they're not going to buy
40 all of the millions of acres that the people own.

41
42 But if you look in the Land Protection Plan, there are
43 outlined in there in various shades of color, red, green and
44 blue, I think it is, the areas that are very important to the
45 Fish and Wildlife Service and areas that they would probably
46 like to buy or have donated to them or whatever other means
47 they can acquire this land. And a lot of that good land is
48 what we consider good land.

49

And another fundamental problem that I see with the

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1 land Protection Plan is that it is opposed to the very thing
2 and the many things that we need to do as a community to really
3 start surviving on our own. If we are not to be dependent on
4 the State and Federal government forever, we've got to make
5 something of the land. And with a Land Protection Plan that
6 seeks to buy land because they don't logging, they don't want
7 oil development perhaps, they don't want lodge development,
8 apparently that means they don't support any kind of a tourism
9 operation that we might want to have or guiding operations, or
10 whatever type of potential economic development opportunities
11 that we can get -- that we can derive from the land that we're
12 living on. I just don't see it as a decent piece of work
13 because it really appears to undercut the only real opportunity
14 we have to make it out there unless we're just going to all get
15 jobs working for the city government, which of course is
16 subsidized by the State, working for State and Federal
17 governments or to continue to apply for grants. And
18 personally, I don't like those ideas. And I certainly don't
19 like food stamps and welfare. And our real only other
20 opportunity is to start developing the resources we have. And
21 if we can do that wisely, I don't see it as a threat to the
22 National Wildlife Refuge.

23
24 And I've said enough, I guess. Thank you, Mr. Chair.

25
26 MR. McCLELLAN: I guess, you know, maybe a couple of
27 things and this may have been something you've already heard.
28 I mean the Land Protection Plan, it doesn't prevent village
29 corporations, Native corporations from developing their own
30 private land. You know, any land that the Refuge acquires or
31 the Refuge was established to the main points that are
32 specified in the letter; conserving fish and wildlife
33 populations and their habitats and providing for subsistence
34 uses. And you know, you're probably cracked at maybe some, you
35 know, development -- it wouldn't impact that but if you do get
36 a lot of development there is some potential to impact those
37 things. But I think the main point is to emphasize that the
38 Land Protection Plan does not prevent the village corporations
39 or regional corporations from developing their land.

40
41 And I also think in the Plan, we also talk about and
42 try to emphasize that any land that we would acquire would have
43 to be from a willing seller only. If somebody doesn't want to
44 work with the Service, that's fine. I mean we're not trying to
45 push anybody into doing anything. It's more of an
46 administrative document, it's not an action document. Actively
47 going out there.

48
49 MR. FLEENER: Wouldn't it be considered -- I mean not

50 that this has a lot of bearing on anything, but wouldn't it be

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1 considered an action document if you can't have purchased any
2 land or purchased any private owned land within the Refuge
3 without it? I mean if it didn't exist, you couldn't purchase
4 those lands before; is that what you stated?

5
6 MR. McCLELLAN: Well, we could purchase, but we'd have
7 to do a -- we'd have to do a separate LPP for that -- just that
8 particular piece of property. Where if you do a LPP for the
9 entire Refuge, then you're covered for any land that you would
10 acquire within.....

11
12 MR. FLEENER: Regardless, you still have to do some
13 sort of an LPP?

14
15 MR. McCLELLAN: Right.

16
17 MR. FLEENER: So without it, you couldn't have taken
18 that action. So it does have some sort of action behind it.

19
20 Another thing too, you brought up that you would only
21 take from willing buyers, which is true, but it still is also
22 of great concern to me because when you're -- if somebody has
23 an allotment that they have and they don't have any money, you
24 know, it's viewed as overpowering and threatening when a very
25 large group, wielding a whole bunch of money comes to some poor
26 guy in the village and says here's \$73,000 will you sell us
27 your land that you're not using anyways? I mean you may not
28 say that, but you know, to a lot of people, myself, especially,
29 I think that that's just wielding a little too much power. And
30 with the opinion that the Federal government is supposed to
31 help the tribes protect their land and that includes individual
32 tribal members who have allotments which don't fall under the
33 same rules but are still Native people with land. I just don't
34 like it, I think that it's a double-sided sword and it's the
35 government helping you on one side and another branch of the
36 government helping their own interests on the other side.

37
38 That's all.

39
40 MR. GOOD: Mr. Chairman.

41
42 CHAIRMAN MILLER: Go ahead, Nat.

43
44 MR. GOOD: Just one real quick question.

45
46 MR. McCLELLAN: Uh-huh.

47
48 MR. GOOD: You said Yukon Flats is number 3 at 11
49 million acres, who's number 1 and 2, and how big are they?

0031

1 MR. McCLELLAN: Arctic and Yukon Delta are number 1 and
2 2 and they're over 19 million apiece.

3
4 MR. GOOD: So they're definitely all three in Alaska?

5
6 MR. McCLELLAN: Yeah. There's -- I don't know if it's
7 in here, but I think the figure is -- well, I better not say
8 because I'll get it wrong. But the majority of Refuge land,
9 yes, is in Alaska versus when you consider all the -- the over
10 500 refuges the majority of land base is in Alaska.

11
12 CHAIRMAN MILLER: Go ahead, Phil.

13
14 MR. P. TITUS: I got a question.

15
16 MR. McCLELLAN: Uh-huh.

17
18 MR. P. TITUS: It says the goal of the Service is
19 developing land protection to help maintain health of wildlife
20 habitats within the Refuge. What if the resources don't come
21 back, is the value of the land go up like timber or goldmining
22 or some other -- more value of the land because the resources
23 didn't come back? Like the fish didn't come back this year.
24 Where did five or six million fish went to, I don't know.
25 Nobody knows where they went to.

26
27 MR. McCLELLAN: Yeah. No, I mean the land value.....

28
29 MR. P. TITUS: And what are you going to protect the
30 land for if the resource is not there?

31
32 MR. McCLELLAN:is not going to -- well, there are
33 going to be population fluctuations in the resources over time
34 but that's not going to -- I mean the land's not going to
35 drastically change with that.

36
37 MR. P. TITUS: I mean it says for the habitat, but if
38 there's nothing, no habitat there, what's -- you're beating a
39 dead horse, I think.

40
41 MR. McCLELLAN: Which bullet are you reading from
42 Philip?

43
44 MR. P. TITUS: This one here.

45
46 MR. McCLELLAN: The first one?

47
48 MR. P. TITUS: Tab F.

49

MR. FLEENER: What he's saying is if there's no

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1 resources left, what are you going to protect? Why buy land if
2 there's no animals left to protect, I think, is what he's
3 asking?

4
5 MR. McCLELLAN: Yeah, well, you know, the problem with
6 the fish is -- I don't think anybody has a good answer for it.

7
8 MR. P. TITUS: There might not be no moose either if
9 the wolf snare thing don't pass and we can't regulate the moose
10 somehow. There'll be no more moose, more wolf, no moose.

11
12 CHAIRMAN MILLER: Any questions?

13
14 MR. P. TITUS: Did he answer?

15
16 MR. FLEENER: He don't know.

17
18 CHAIRMAN MILLER: Are you going to do the update on the
19 -- who's doing the update for.....

20
21 MR. MATHEWS: Refuge reports, which are in your file
22 folder for Arctic and Yukon Flats. We've been evolving over
23 time on how to deal with this and we've been asking agencies to
24 put together kind of a bulleted or brief report and so you have
25 a type written copy in your file folder also. And I don't know
26 if Greg wants to -- or who's going to present that on Arctic.

27
28 MR. McCLELLAN: Well, which refuge do you want to do
29 first?

30
31 MR. MATHEWS: Well.....

32
33 CHAIRMAN MILLER: Go ahead, Gabe.

34
35 MR. SAM: When it first came out last year, we were
36 notified by Craig and Ft. Yukon Tribe, and we believe it was to
37 all the other 16 Refuges in the state. And so TCC came out, I
38 think you should have a letter of opposition, we don't support
39 the Land Protection Plan, and I believe that's still our
40 position for the Plan.

41
42 Because we didn't feel that there was much public input
43 that was involved. The one -- the copy I have on Yukon Flats,
44 it says public input, but it doesn't list names of people
45 they've spoken to. So how could you have public input if you
46 don't have it documented that -- you know, like Craig said this
47 about the Plan, you know, or Mr. Solomon said this about the
48 Plan or anybody else. So we felt that there wasn't much public
49 involvement on this Land Protection Plan. And in the book, it

50 shows all the red areas are targeted to high density for the

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1 Plan, and if you look at it it's all around the rivers and the
2 villages. So we didn't see our people selling their land --
3 once they sell it they'll never get it back and that's for
4 sure.

5
6 I just wanted that on record.

7
8 CHAIRMAN MILLER: Thank you, Gabe.

9
10 MR. NICHOLIA: Thanks, Greg.

11
12 CHAIRMAN MILLER: Okay, moving on to National Park
13 Service.

14
15 MR. MATHEWS: I don't think you're ready for the Park
16 Service because there's Refuge reports from Arctic and Yukon
17 Flats, and Tetlin. I didn't mean to forget Tetlin. So I think
18 Arctic was going to go first. We'll just go alphabetical if
19 that's okay. Sorry for the confusion here, but Greg's had to
20 wear many hats and he was covering the Land Protection Plan and
21 now there's follow-up on the other Refuges.

22
23 MR. FLEENER: Poor guy.

24
25 CHAIRMAN MILLER: Let's take a minute here to recognize
26 the Minto High School that just walked in.

27
28 (Applause)

29
30 MR. McCLELLAN: Again, my name is Greg McClellan,
31 Subsistence Coordinator with Arctic National Wildlife Refuge.
32 And as Vince mentioned there was a short write up about some of
33 the activities on the Arctic National Wildlife Refuge in the
34 folder for everybody. And if there's any questions on that
35 we'd be happy to answer them.

36
37 I guess what I'd like to try to do first is we received
38 a letter from the Chairman this past spring about at this
39 meeting they wanted to have a discussion on caribou management
40 in 25(A) and I guess we'd like to address that first, and I'll
41 let Fran Mauer identify himself and then he'll take over on
42 discussing the caribou management.

43
44 MR. MAUER: Good morning, Mr. Chairman. My name is
45 Fran Mauer. I'm a wildlife biologist with the Arctic Wildlife
46 Refuge. And I guess I'll try to be brief with my comments.

47
48 In response to the question that you posed regarding
49 caribou management on the Arctic Wildlife Refuge, first I'd

50 like to point out that the original Arctic National Wildlife

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1 Range which was established back in 1960 involved about 8.9
2 million acres. And the Porcupine Caribou Herd was a primary
3 resource that went into deliberations over establishing that
4 reserve at that time and the boundary that was drawn. And that
5 original wildlife range included the primary calving grounds of
6 the Porcupine Caribou Herd up on the North Slope south of
7 Barter Island. Then in 1980 the wildlife refuge was expanded,
8 doubled in size or so and the boundaries that were drawn at
9 that time, one of the primary justifications for that boundary
10 was to include the maximum amount of available Federal lands
11 that fall within the historic range of the Porcupine Caribou
12 Herd. So protection of the habitat in conservation of the
13 population has been a central feature and purpose of the Arctic
14 Refuge from the very beginning.

15
16 How do we go about doing this? Because the caribou
17 herd migrates into Canada, our primary approach has been a
18 cooperative one. One with the Alaska Department of Fish and
19 Game with Canadian Wildlife Agencies and more recently new
20 initiatives with co-management bodies, both in Canada and the
21 U.S. I've worked with various caribou studies on the Refuge
22 since 1981. There's been a very large amount of scientific
23 information that's been collected over the 1980s and early
24 1990s as a result of studies associated with the calving
25 grounds and the question of oil and gas -- possible
26 authorization of oil and gas up there. So as a result of all
27 those studies, a considerable amount of information's been
28 gathered over the years on the herd.

29
30 We're well aware of concerns in the Arctic Village area
31 of the lack of caribou spending the winters in the Arctic
32 Village area in recent years. And we don't have any simple
33 answers as to why the caribou are moving in the directions that
34 they have lately. It appears to us that what we're seeing is
35 relatively normal variations in winter range use by this big
36 herd, which is not uncommon with some of the other large herds
37 that are studied elsewhere.

38
39 I'll leave it at that and be open to any questions that
40 you might have. I'd like to point out that we do have some
41 posters up that you might want to take a look at when you have
42 a chance that gives some background information on some of the
43 summer and fall migratory movement patterns that we've learned
44 using satellite collars on some of the caribou. And there's
45 also a new program that's been initiated by a Canadian agency,
46 with our cooperation, where some new satellite collars have
47 been put on caribou just a year ago. And it's been quite
48 successful in that several schools in the range of the herd
49 have adopted caribou as a study project to follow the movements

50 that are provided once a week. And we're getting some good

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1 feedback on the results of that. And it's also giving us
2 continued information on monitoring the movements of the
3 caribou on a week by week basis.

4
5 MR. GOOD: Mr. Chairman.

6
7 CHAIRMAN MILLER: Go ahead, Nat.

8
9 MR. GOOD: I don't want you to think I'm on some kind
10 of a map kick here but I am visually oriented, you know. And
11 when we're talking about this it just occurred to me it'd be
12 really nice if I had something to look at in front of me.
13 Something that had some of the highlights on the Refuge, like
14 how many acres and if you can get those map people in Anchorage
15 to develop something like that, when you're talking about it we
16 could follow you around the Refuge and make it, at least, more
17 meaningful for me. I don't know about anybody else.

18
19 MR. MAUER: Well, I have some overlays if I could
20 attempt to give you some visual stimulation. I'd be happy to
21 throw a few of those up and give you some examples of the
22 movement patterns that we're seeing. Would you like to see
23 that?

24
25 MR. GOOD: If it can be done fairly quickly, we do have
26 this time problem -- a time constraint today.

27
28 MR. MAUER: I understand that and I've got lots of
29 material, but I understand that time constraint and didn't want
30 to get into more detail than what you had wanted to do at this
31 time.

32
33 MR. FLEENER: Mr. Chair.

34
35 CHAIRMAN MILLER: Go ahead, Craig.

36
37 MR. FLEENER: I know that the gentlemen who are most
38 concerned and have had the most questions about the Porcupine
39 Caribou Herd are not here in the meeting today. And one
40 question that I would ask, that I think they would be
41 interested in, and maybe you could ponder it while you're
42 putting that up. But when was the first year that you guys
43 were tracking them and maybe how far since then have they
44 migrated away from Arctic Village and have there been some
45 noticeable problems as to why they started migrating away from
46 Arctic Village that you've noticed? And if there's no real
47 noticeable problems, do you think that it's just an overall
48 pattern, a blip or what do you think could be the reason? But
49 I can give you some time to think about it while you're putting

50 those up maybe.

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1 MR. MAUER: Okay.

2

3 MR. FLEENER: Maybe you could take the microphone over
4 there so you don't have to leave the screen.

5

6 MR. MAUER: Okay, what we have here is the movement of
7 one individual satellite collared caribou in 1985. I'm not
8 going to be able to.....

9

10 (Power outage)

11

12 MR. MAUER: Should I proceed?

13

14 MR. MATHEWS: Sorry about that.

15

16 MR. MAUER: Proceed?

17

18 COURT REPORTER: Yes, you can go ahead now.

19

20 MR. MAUER: With regards to where is the Arctic
21 Wildlife Refuge in relation, this is the west boundary of the
22 Arctic Refuge right here. This is the Kanik River. The Brooks
23 Range runs through this region right here. This is all in
24 Canada where many of the caribou move to in the winter time.
25 In red, it shows this animal moving off from the Refuge coastal
26 plain through the Brooks Range. East -- northeast of Arctic
27 Village. This is a very common movement pattern that
28 frequently occurs where caribou in mid-July move down in
29 approaching the Arctic Village area and commonly move east
30 sometime during July and August back towards Canada. This is
31 one of the most common movement patterns we see. And in this
32 particular year, this animal moved on down crossing the
33 Porcupine River the beginning of September and continuing on
34 down to its winter range, rutting down in the Ogilive River
35 area of Canada. And in this particular case it moved up to
36 winter range farther north.

37

38 These, by the way, are up on the wall so if people want
39 to look at them more they can do so, the very same ones are up
40 on the wall.

41

42 Here's another example, in this case 1990. A little
43 bit different pattern, in that, this particular animal didn't
44 move very close to Arctic Village at all. Remained within,
45 probably 40 miles of the U.S./Canada border and then moved east
46 into Canada. A common pattern for these animals is to make a
47 clockwise movement around Old Crow Flats. This area right here
48 where I'm pointing is Old Crow Flats. And this movement is
49 common for animals to make a circle around Old Crow Flats

50 before they head down into their winter range.

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1 And I just have a couple more here to give you a
2 further feel for the variations that we see. Another case of
3 an animal coming off the North Slope through the Brooks Range
4 heading east into Canada, making a partial circle around Crow
5 Flats. And for whatever reason, turning and then retracing
6 back -- crossing the river -- the Porcupine River near the
7 U.S./Canada border which is a common and popular hunting place
8 and then on down to traditional winter range farther south in
9 the Yukon Territory.

10
11 And then I have one other example of a movement pattern
12 when caribou did spend the winter in the Arctic Village area.
13 This individual was 1989 when large numbers of caribou did
14 spend the winter by Arctic Village. A movement through the
15 Brooks Range, again to the east, into Canada in August,
16 spending September up near the Yukon North Slope, and then
17 gradually coming across ultimately circling through the border
18 region here. And in October, blue is the month of October,
19 moving across the Colville/Sheenjek Rivers and then on over to
20 spend the winter near Arctic Village. And this is a pretty
21 common pattern for what we've seen in past years as to when
22 caribou do come to Arctic Village.

23
24 I have a couple of examples of this years movement
25 pattern in relation to Arctic Village. Let me see if I can
26 quickly pull those out to see what happened this year -- here
27 they are. This is some of the movement pattern of one
28 individual -- of this adopted caribou program, in this case,
29 the school kids named it after one of Santa Claus' reindeer,
30 Blixin. It was originally caught and marked near Old Crow when
31 the caribou were crossing the Porcupine River. And they catch
32 the animals when they're swimming in the river and are able to
33 put the collar on from a boat and let them go again and not use
34 any drugs or harm the animal in a very dangerous manner.

35
36 So this animal moved on south, spent the winter down in
37 the traditional winter range in Canada and then migrated back
38 up in the spring time up the Richardson Mountains in Canada.
39 And then came across into the traditional calving grounds in
40 the Arctic Wildlife Refuge. Came back across the Brooks Range
41 like some of these patterns I've shown you in previous
42 movements. Dropping down, crossing the Sheenjek River in late
43 July. Spending the month of August northeast of Arctic
44 Village. And on the 12th of September, there was a heavy
45 snowstorm in the Brooks Range. And as a result or in
46 conjunction or coincidence with that snowstorm, caribou
47 simultaneously moved out of this whole region of the Brooks
48 Range heading southeast towards their Canadian winter ranges.
49 This particular animal came down, approached close to the

50 Porcupine River, didn't cross, although people in Old Crow

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1 reported many caribou crossing the river in this vicinity at
2 the time this animal approached. This particular one didn't
3 cross but moved parallel to the river back into Alaska, and
4 more recent locations which we have up on the wall show that
5 it's returned and gone back up near Old Crow. And so far we
6 haven't seen it cross the Porcupine River. The river is in the
7 process of freezing up right now. And it may -- we don't know
8 why it hasn't crossed the river, whether it's related to freeze
9 up or some other reasons, we don't know.

10
11 But that's an example of the caribou movement pattern
12 this year near Arctic Village. I'd be happy to talk further on
13 questions. Yes.

14
15 MR. P. TITUS: When it migrated away from Arctic
16 Village, what's the -- does the herd size have impact on it?

17
18 MR. MAUER: Pardon?

19
20 MR. P. TITUS: The size of the herd have an impact on
21 the reason it's not going to Arctic Village?

22
23 MR. MAUER: I don't know. The size of the herd is --
24 that's another point that I'd be willing to mention here at
25 this time, is that, on the 30th of June and the 1st of July,
26 there was a cooperative effort on the part of the management
27 agencies, Canadian and U.S. to do a census of the Porcupine
28 Caribou Herd. And the results of that census have recently
29 been completed. And we counted on aerial photographs that were
30 taken of the herd during those days, 128,356 caribou. We
31 certainly didn't get every single caribou photographed but we
32 think we got most of them. And this represents a decline from
33 the last census that was done in 1994 when 152,000 caribou were
34 counted. This works out to approximately a four percent annual
35 decline from the last census.

36
37 The health of the herd appears to be good. The
38 information that we've collected regarding production of calves
39 has been right up there with some of the best years. We got 83
40 percent of our collared cows had calves this year. There's
41 been good calf survival data that the Canadians collect in
42 March suggesting that the calves are surviving well. The
43 Canadians are collecting body conditioned measurements from
44 hunter kill caribou up near the Porcupine River. And those
45 information suggest that caribou are in good condition.

46
47 We believe the herd is still relatively healthy and
48 that the results of this decline are well within the range of
49 fluctuation of caribou populations that we've seen over many

50 years. And we wouldn't want to suggest that there's a serious

0039

1 decline underway but it's certainly something that will require
2 continued and close monitoring in the future.

3
4 So with regards to the change in size of the herd,
5 whether that has some relationship to caribou not coming to the
6 Arctic Village areas, I -- you know, I really don't think that
7 question can be well answered at this time, if there's a
8 relationship or not.

9
10 When the herd was much smaller than it is now, the
11 first census that was taken of the herd in 1972, 101,000
12 caribou were counted. And at that time there was quite regular
13 use of the winter range near Arctic Village when the herd was
14 yet smaller than it is right now. So I don't think the size of
15 the herd in this case or the current fluctuation downward that
16 the herd seems to be doing right now would necessarily answer
17 why there's no caribou spending the winters at Arctic Village
18 these last few years.

19
20 I've spoken with people from Arctic Village, especially
21 Trimble Gilbert and asked him what he thinks about it and one
22 of the things that he mentioned to me that he wonders about and
23 admitted that he doesn't know for sure, but whether or not
24 there is as much food for the caribou in the Arctic Village
25 area as there once was. And he acknowledged that during the
26 late 1980s there were several years when really big numbers of
27 caribou spent the winter near Arctic Village. And he's raised
28 that question and we don't have any information or data on the
29 condition of the range to judge one way or the other as to
30 whether that may be related to why caribou haven't been going
31 to Arctic Village lately.

32
33 We'll continue to monitor the movements, of course.
34 And be willing to, of course, are available to provide updates
35 at future meetings.

36
37 CHAIRMAN MILLER: Go ahead, Craig.

38
39 MR. FLEENER: Fran, do you know if there have been any
40 forage quality studies done to see if there may be a problem
41 with the quality of the forage around Arctic Village?

42
43 MR. MAUER: No, as far as I'm -- I'm not aware of
44 anything -- any work along that line, either in Arctic Village
45 or on the Canadian winter ranges. There's been fairly
46 comprehensive cover mapping work that's been done to identify
47 the vegetation patterns across the range of the herd. But I'm
48 not aware of any forage quality data collection at all.

49

MR. NICHOLIA: Maybe a suggestion that Lincoln Tritt

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1 might make if he was here that you guys might do a little study
2 like that or something, to see if that effects the migration of
3 the herd? I think Lincoln would want to mention that.

4
5 CHAIRMAN MILLER: Go ahead, Phil.

6
7 MR. P. TITUS: There's one caribou that crossed -- the
8 one that crossed the river, them other collared caribous are
9 crossing the river?

10
11 MR. MAUER: Yes.

12
13 MR. P. TITUS: You might have to take the collar back
14 off.

15
16 CHAIRMAN MILLER: Is there anymore questions? Okay,
17 who's next?

18
19 MR. McCLELLAN: Mr. Chairman, if we could just mention
20 one other thing on the Arctic report before I finish up, is
21 that, the next International Porcupine Caribou board meeting
22 will be held in Ft. Yukon on November 4th. So there will be a
23 chance for folks from Ft. Yukon and surrounding villages to
24 attend that meeting if they're available and have a discussion
25 on caribou management.

26
27 MR. NICHOLIA: Do you have the dates on that?

28
29 MR. McCLELLAN: It's November 4th. And Fran mentioned
30 a handout we have a sensitive habitat pamphlet from the
31 International Porcupine Caribou ordered if folks are interested
32 in having a copy.

33
34 MR. P. TITUS: Mr. Chairman.

35
36 CHAIRMAN MILLER: Go ahead, Phil.

37
38 MR. P. TITUS: I'd like to recognize the school kids
39 that's here. It's up to you if you want to introduce yourself.

40
41 MR. MATHEWS: Mr. Chairman, I know that we're
42 constrained for time and all that, but for everyone to
43 understand, this is the time to really ask these experts
44 questions and that. So I'm not saying to ask questions, but
45 I'm just saying that you do have material in front of you
46 further on Arctic Refuge that you may have questions on or may
47 not. There's a written report. But I don't want these written
48 -- well, my suggestion is I don't want these written reports to
49 deter any dialogue as Gerald has indicated and others, the

50 dialogue and asking of questions of this expert staff is very

0041

1 beneficial. So I know we're rushing here but for the audience
2 that's present here, generally, we do capitalize on the time
3 that they're here, the experts.

4
5 I fully realize the Council, that if you do have
6 particular questions for these staff and you know you'd be more
7 comfortable talking to them one on one, there's breaks. You
8 can call me on the 800 number and I can transfer you to them.
9 You know, that's fine to do that. So please do not hesitate to
10 call them up. Plus, Mark, I'll need copies of that for the
11 record.

12
13 MR. McCLELLAN: Mr. Chairman, Council, again, I'll
14 start off, really quick, and mention again in your folder that
15 there was a handout of some highlights of the Yukon Flats
16 National Wildlife Refuge that I'd be happy to answer any
17 questions about that. And then the last page that I handed
18 out, there's also a highlight section from our fisheries
19 resource office in Fairbanks that may not be able to directly
20 answer those questions, but I'd be happy to discuss it.

21
22 And I think to start off, as with the Arctic Refuge, we
23 had received a letter from the Chair about moose management in
24 25(D) and I'd like to hand the microphone over to Mark Bertrim
25 and let him go into that.

26
27 Thank you.

28
29 MR. BERTRIM: Yeah, my name's Mark Bertrim. I'm the
30 wildlife biologist with Yukon Flats Refuge. And I gave you a
31 handout there which mainly talks about some notes that I put
32 down on the status of the bear and the moose populations on the
33 Yukon Flats. We've had a couple of different studies going on
34 in recent years and I just wanted to give you a summary on the
35 status of those projects.

36
37 On the front page of the first page of the handout
38 status of moose and bear populations on the Yukon Flats, the
39 first project that I'd like to talk about is the moose calf
40 mortality study that we started this past March out of Beaver
41 on the Western Yukon Flats. Back in March we collared -- we
42 put radio collars on 30 adult cows for the purposes of trying
43 to capture moose calves later in the spring. The purpose of
44 this study is to try and determine what the causes of death are
45 among moose calves on the Yukon Flats and what their annual
46 survival rates are. So after we collared the cows in March, we
47 tracked them down towards the end of May and we captured and we
48 collared 29 calves. In addition to those 29 calves, we were
49 also tracking -- actively tracking three or four other radio

50 collared cows that had calves that we weren't able to capture

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1 and put calves on those -- put collars on those calves. So we
2 had a total sample of about 36 different calves that we were
3 radio tracking.

4
5 And we followed these animals daily for the first 30
6 days until the end of June and then starting in July we
7 followed the animals about twice very week until the end of the
8 summer. When we determined that a moose calf, that their
9 collar was on, what we call, mortality mode, we chartered a
10 helicopter to investigate that kill site to see what killed it.
11 And the results thus far are, we've got a survival rate of
12 about 31 percent. Twenty-five of the 36 calves have been
13 killed and primarily by bears. When we get to each kill site
14 we look at the hair at the kill site to try and tell exactly
15 what happened, we look at tracks and scat. And often times
16 we're able to tell if it's a black or a grizzly -- well, we're
17 able to tell if it's a bear. And sometimes we're able to tell
18 if it's a black or a grizzly bear. Thus far we've attributed
19 nine of the deaths to black bears, two to grizzly bears, six to
20 some other, you know, it's an unknown bear for a total of 17
21 bear kills. Three died due to drowning. And then there were
22 five additional ones that either we didn't have a collar on the
23 animal and weren't able to investigate that kill site or we got
24 there too late and we weren't able to tell exactly what
25 happened.

26
27 The bottom line is we've got 11 of the 36 moose calves
28 left. So after six months we got a survival rate of about 31
29 percent. If you compare this with some of the other work done
30 in Canada and in Alaska, the figures that I'm going to compare
31 this 31 percent to are after one year. So we're at the six
32 month stage right now. We're just getting into winter, you
33 know, I'm sure we're going to have -- you know, we may have
34 more mortality this winter, possibly due to wolves. So in any
35 event, the range of survival rates have been as low as 19
36 percent and that was a study done over in Canada to as high as
37 56 percent survival rate and that was down on the Tanana Flats,
38 south of Fairbanks.

39
40 So I just wanted to update you on those numbers and
41 there's a graph on the backside of here that shows just a pie
42 chart up on top that just shows how many have died and how many
43 have survived. We have also lost two of the adult cows to
44 grizzly bears since March. So we've got some grizzly bear
45 predation also, one was killed in spring, the other one was
46 killed in the fall, surprise, surprise.

47
48 I guess I would like to entertain any questions
49 regarding the moose/calf work before I move on. Yes, Philip.

0043

1 MR. P. TITUS: On these moose that got killed, is that
2 during when the fish go and migrate back up to the spawning
3 grounds? There was no fish so were they switching to more
4 meat, the bear?

5
6 MR. BERTRIM: Well, primarily where we were collaring
7 these animals, which was really right around Beaver, around the
8 Beaver vicinity, this is before salmon are coming up, so it's
9 before the fish are coming up, and this is primarily -- all of
10 these animals were killed prior to July 8th and most of them
11 were killed before the middle of June. So most were killed
12 within about the first two or three weeks after they were born.
13 And other stories around Alaska have shown that, you know,
14 moose calves are real vulnerable the first couple of three
15 weeks, you know, of their life. And some areas that do have
16 high black bear densities, which we seem to have on the Yukon
17 Flats, are really susceptible to black bear predation.

18
19 MR. P. TITUS: My question wasn't that.

20
21 MR. BERTRIM: Okay.

22
23 MR. P. TITUS: Are they eating more meat because
24 there's no fish?

25
26 MR. BERTRIM: Sure.

27
28 MR. P. TITUS: Okay, that's all I wanted to hear.

29
30 MR. BERTRIM: Any other questions?

31
32 MR. FLEENER: I've got a question, Mark.

33
34 MR. BERTRIM: Yeah.

35
36 MR. FLEENER: Do you know what the mean survivorship
37 is? You've got the high and the low, I was wondering if you
38 had the mean?

39
40 MR. BERTRIM: I don't. I don't have the mean, but I
41 would say.....

42
43 MR. FLEENER: How about a rough estimate?

44
45 MR. BERTRIM:the rough estimate would probably be
46 30 something percent, around 30 to 35 percent.

47
48 MR. FLEENER: And that's after one year?

49

MR. BERTRIM: After one year.

0044

1 CHAIRMAN MILLER: Go ahead, Vince.

2
3 MR. MATHEWS: I think -- I'm pretty sure most of the
4 Council member remember that you requested, and of course, the
5 Refuge had this ready, moving along through their processes,
6 too, but this was a result of your action requesting a moose
7 predator/prey study. So I'm just getting that on the record,
8 that this is kind of a cooperative effort between the Council's
9 desires and the Refuge even though they have had this idea
10 before. But your assistance and requesting it helped. So just
11 to get an idea of why this is before you in case some of you
12 may have forgotten that.

13
14 MR. BERTRIM: The other thing I might mention is later
15 on, when you have time, there is two green maps up on the far
16 end down there. One of them shows the specific locations of
17 where the cow -- the adult cows were collared. And the other
18 map shows the specific locations of where the calves were
19 collared and killed. If you want to take a look at that.

20
21 On the bottom of the page, I have a short excerpt on
22 the moose population status. We've been conducting surveys
23 annually for the last three or four years on the Eastern and on
24 the Western Yukon Flats. This is the results of some of the
25 recent survey efforts. We've been conducting a -- there's a
26 map that I also gave you and I apologize for the map, it's
27 really cluttered with a lot of stuff on it. But the area to
28 really concentrate on is on the left-hand side on the western
29 side of the map, it says core unit west and on the right side
30 it says core unit east. And the outline around there shows you
31 the areas that we're estimating moose population estimates
32 from. The one in the west is basically -- covers Stevens
33 Village, Beaver and Birch Creek. And the one in the east
34 covers Chalkyitsik and Ft. Yukon, extending down towards
35 Circle.

36
37 On the western side of the Refuge, there was a survey
38 conducted in 1996. The population estimate was about 666 moose
39 and that averages out to about four moose every 10 square
40 miles. We also conducted a survey in 1992 over a larger area,
41 three times larger than that. The population estimate in '92
42 was one moose every 10 square miles. And I guess my gut
43 feeling on what I have seen over the last several years on that
44 is this smaller area, this 1,500 square mile area that we
45 surveyed in '96 is kind of a -- we purposely selected an area
46 of good moose habitat trying to get a large sample of moose in
47 our survey so that we could come up with meaningful results for
48 sex and age ratios. And so even though the smaller area shows
49 four moose every 10 square miles, I think that shouldn't

50 overshadow the fact that the larger area in 25(D) west may have

0045

1 a smaller population than that based on the survey we did back
2 in 1992.

3
4 The sex and age ratios, the numbers of moose, cows and
5 calves that we've detected in recent surveys show the
6 population to be fairly healthy. There seem to be plenty of
7 bulls out there to get the cows pregnant. And it will be
8 interesting to see what our survival rates are from this
9 moose/calf study after this first year. And so we're getting a
10 much better picture of what the survival rates are on the
11 western half of the Refuge. We're trying to figure out, you
12 know, what limiting factors there may be keeping the population
13 at what seems to be a pretty low level historically.

14
15 On the eastern half of the Refuge, we conducted surveys
16 in 1997 and 1995. And the population estimate of that 1,500
17 square mile area was comparable to what it was over in the
18 west, slightly larger. It was 704 moose in '95, 625 moose in
19 1997.

20
21 Does anybody have any questions on the moose
22 populations?

23
24 MR. FLEENER: Mr. Chair.

25
26 CHAIRMAN MILLER: Go ahead, Craig.

27
28 MR. FLEENER: I don't have a specific question on
29 moose, but something related with wolves. Seeing how we're
30 very interested in the predator/prey aspect of things, I'm
31 wondering if after the bear work is done and the moose survey
32 -- the cow/calf study that you're doing is done, would it be
33 possible also to then take a look at wolves? And I know you
34 can't answer yes or no -- well, you can answer, yes,
35 everything's possible. But maybe you can take that as a take
36 home message so say, now maybe we can look at wolves because as
37 you heard from people on the Council before, we think there is
38 a problem with predators and we'd like to address it somehow,
39 as I've pointed out in other meetings. And we can't really do
40 anything unless we get some data. So maybe that could be a
41 thing that we look at in the future.....

42
43 MR. BERTRIM: Sure.

44
45 MR. FLEENER:to see, now, that we've looked at
46 bears and calf survivorship we can start looking at wolves.

47
48 MR. BERTRIM: Yeah, we're definitely interested in
49 doing that. So I'll take that message back.

0046

1 The only other bit of information I'd like to leave you
2 with is in the center of that page. There's some highlights of
3 a bear study that has been conducted in the same general area
4 on the Western Yukon Flats as the moose calves, but slightly
5 east. It's centered around -- centered on Beaver Creek,
6 halfway between the village of Beaver and Birch Creek. We were
7 interested in looking at -- this started in 1995 by the way,
8 and we were interested in looking at seasonal movement of black
9 bears and we're also interested in looking at their survival
10 rates and their birthing rates. Trying to figure out how
11 quickly black bears reproduce out on the Yukon Flats.

12
13 We radio collared 26 black bears over a three year
14 period. And some of the information that we found out is that
15 the male bears, during the course of the year cover an area of
16 about 400 square miles and really cover a lot of ground. The
17 female bears hold up really tight and some of the female bears
18 don't really venture more than two to five miles from where
19 they were born. Others will venture farther out. And we've
20 got nine bears that we're still radio tracking. And of those
21 nine bears, six are female bears. Every March we investigate
22 the dens of those female bears to determine if they've given
23 birth. And then we keep track of the cubs throughout the
24 summer to see what their survival rate is.

25
26 The reason we go into the dens is because it's very
27 common for cubs to die in the den or to die very soon after
28 they get out. And so we're really trying to get a firm grasp
29 on how often they have young, how many young they have. What
30 the interval is between years, every two years, every three
31 years and then how long the young survive.

32
33 So I'll just leave it at that.

34
35 CHAIRMAN MILLER: Anymore questions?

36
37 MR. FLEENER: Mr. Chair, I got a question.

38
39 CHAIRMAN MILLER: Go ahead, Craig.

40
41 MR. FLEENER: What do you think the overall density of
42 bears is in that area?

43
44 MR. BERTRIM: It's really hard to say. We think it's
45 above average compared with other places. It's probably
46 average or above average compared with other places in the
47 Interior.

48
49 MR. FLEENER: And what's average?

0047

1 MR. BERTRIM: A rough guess would be a bear every two
2 to three square miles. Just to give you an idea, in 1995 we
3 trapped 21 bears in a two square mile area over the course of
4 about 11 days. And you know, obviously, a lot of male bears
5 were coming in from the vicinity. So we were attracting a lot
6 of bears from outside the area in. But just based on people
7 that I have talked to out there and who are on the land a lot
8 and based on aerial observations and what we've seen with this
9 radio collaring project, probably a bear every two to three
10 square miles.

11
12 MR. FLEENER: And do you think that area is an
13 exception or do you think it's widespread and you can probably
14 only really estimate that? You might be able to estimate where
15 you did the calf study.

16
17 MR. BERTRIM: I think it's comparable, at least, over
18 to where the calf work was done. So I don't think it's unique
19 to the Birch Creek area there. I think it would extend, at
20 least, over towards Beaver and on to the north side of the
21 Yukon River. But beyond that, I'd just be speculating.

22
23 MR. FLEENER: So we have one to four moose per 10
24 square miles but we have one bear every two to three square
25 miles? It's looking for pretty bleak for moose, isn't it?

26
27 MR. BERTRIM: Yeah, the ratio is real, real similar.

28
29 MR. FLEENER: It's time to bring bison in, wouldn't you
30 say?

31
32 MR. GOOD: Mr. Chairman.

33
34 CHAIRMAN MILLER: Go ahead, Nat.

35
36 MR. GOOD: You know, sometimes I think maybe we need to
37 tie the biology together with some of the actions that we take.
38 Now, am I correct in saying that we're dealing with 25(D)?

39
40 MR. BERTRIM: Yes.

41
42 MR. GOOD: And I look at what we have done in the past
43 with 25(D) and we gave a c&t to the rural residents of 25(D),
44 which means that other -- all rural residents -- just those
45 from 25(D) have the subsistence priority in this area. Are we,
46 by this action, restricting the rural -- restricting this just
47 to the rural residents of 25(D) or are we, in reality,
48 eliminating a form of predator control with our actions is my
49 question here?

0048

1 MR. BERTRIM: Well, 25(D) west is restricted right now.

2

3 MR. GOOD: 25(D), by our actions we have made it only
4 under -- we've given a customary c&t to the residents of Unit
5 25(D), which means.....

6

7 MR. FLEENER: You're referring to bears not moose,
8 right?

9

10 MR. GOOD: Yeah, I'm referring to bears.

11

12 MR. BERTRIM: I'm sorry.

13

14 MR. GOOD: Oh, I'm talking predator control here.

15

16 MR. BERTRIM: Sure.

17

18 MR. GOOD: So I guess I am -- whenever I talk about
19 bears I think I'm talking about moose, too, you know.

20

21 MR. BERTRIM: Sure, they're real close.

22

23 MR. GOOD: But I'm talking about in terms of the bears.
24 We've given a c&t there so therefore in 25(D), the rural
25 residents of 25(D) may take three bears. But other rural
26 residents don't have that same possibility. Am I correct?

27

28 MR. MATHEWS: Two things. One -- I'll cover the second
29 one last as far as I would caution you when you talk about
30 using predator control. That's the bottom line there. The
31 other one is, that, yes, you could possibly be restricting
32 other rural residents from hunting there. But you have to
33 realize there's a year-round State season with a very liberal
34 bag limit -- or harvest limit. so in reality, the c&t that is
35 on the books there does not restrict because the State season
36 is quite liberal and there's been no need to close Federal
37 lands. So yes and no to your question, are you restricting
38 when you go to a 25(D), from what was before a all rural
39 residents. But in reality, there's a, you know, year-round
40 State season with a very liberal.....

41

42 MR. GOOD: What is the limit?

43

44 MR. MATHEWS: I'll have to -- I see three fingers on
45 everybody's hands in the room, so.....

46

47 MR. GOOD: Okay.

48

49 MR. MATHEWS: But that is something to consider that

50 there is a coupling effect that you may want to look at. But I

0049

1 caution you on predator control. The policy of the Board is
2 that they will not manipulate one species for the benefit of
3 another species under subsistence.

4
5 MR. GOOD: But in point of fact, by manipulating the
6 hunting regulations we can accomplish, not exactly the same
7 thing, but we can make it a little easier.

8
9 MR. MATHEWS: It would have to be under a need for
10 subsistence opportunity, not under predator control. I caution
11 you.

12
13 MR. FLEENER: I'd like to point out, too, Mr. Chair, is
14 that there is no brown bear season that's open in 25(D).

15
16 MR. MATHEWS: And there's two proposals for brown bear
17 season, well, one that's been submitted for brown bear seasons
18 and 25(D) is in Delta.

19
20 MR. FLEENER: As in Dot Lake.

21
22 MR. FLEENER: Thank you, Mark.

23
24 CHAIRMAN MILLER: Anything else? I guess that's it,
25 thank you.

26
27 MR. BERTRIM: Thank you.

28
29 MR. MATHEWS: There is Staff here from Tetlin Refuge
30 that may have something to present, I'm not sure. And if I've
31 overlooked any other Refuge staff that came in, they'll need to
32 raise their hand or get your attention, Mr. Chairman.

33
34 MR. LUNDERSTADT: Mr. Chairman, Council, my name is
35 Carl Lunderstadt. I'm the assistant Refuge manager for the
36 Tetlin National Wildlife Refuge. And hopefully at the next
37 meeting we'll be able to bring a biologist along, he's going to
38 start this next week. I just have an update on some of the
39 things we've been doing on the Refuge.

40
41 This spring we worked with Ecological Services in
42 Fairbanks on a burbot study. The study effects of airborne
43 pesticides in the Northway area. And over the course of the
44 summer we did a white fish study and that was also -- part of
45 that was focused on contaminants work and also a DNA analysis
46 to determine the number of populations in the Upper Tanana
47 region. And also through an analysis of otolith to determine
48 where these fish are coming from and where they possibly could
49 be going. Because not a whole lot of work has been done on

50 that subsistence resource in the region. After the samples

0050

1 were collected, the fish was donated to elders in Tetlin,
2 Northway and Tanacross.

3
4 We haven't had enough moose -- or snow cover this fall
5 yet to do our moose surveys and I imagine the State is going to
6 have a lot more information on caribou, but apparently a few
7 have been trickling across the Tok cutoff between Slana and
8 Mentasta. And we will again have our subsistence moose hunt
9 November 20th to the 30th on the Refuge, and depending on the
10 number and the mixing ratio, the Mentasta and Nelchina caribou,
11 we could possibly open up a Federal subsistence caribou hunt as
12 well.

13
14 Outside of that, I'm just here to answer any questions.
15 Oh, one other thing, I might add on a question that came up
16 earlier, Service lands, there's a little over 92 million acres
17 in the whole system, and 60 million of that is in the State.

18
19 CHAIRMAN MILLER: Go ahead, Nat.

20
21 MR. GOOD: When you open a subsistence hunt there on
22 the Refuge, is that done jointly with the State then? Do you
23 use the same permit there?

24
25 TETLIN: No, this is strictly Federal subsistence hunt
26 and it's strictly on the Tetlin Wildlife Refuge lands.

27
28 MR. GOOD: And where would that permit be available
29 then?

30
31 MR. LUNDERSTADT: At the Refuge headquarters in Tok.

32
33 MR. GOOD: In Tok, itself?

34
35 MR. LUNDERSTADT: Uh-huh. (Affirmative)

36
37 CHAIRMAN MILLER: Anymore questions? Thank you.

38
39 MR. LUNDERSTADT: Thank you.

40
41 MR. MATHEWS: Mr. Chairman, next would be Park Service
42 but I think I need to ask Nat, he did talk to the cook at the
43 lodge, did he need a count for lunch and he also needed a
44 prediction on dinner. So we need to do that before -- whenever
45 you break for lunch, we need to get that data.

46
47 CHAIRMAN MILLER: Yeah, might as well.

48
49 MR. FLEENER: Let's see, how many want to stay

50 overnight? None.

0051

1 MR. P. TITUS: Me.

2

3 MR. FLEENER: Oh, you're going to stay? One for
4 dinner.

5

6 (Off record comments regarding lunch)

7

8 MR. FLEENER: Come on Hollis.

9

10 CHAIRMAN MILLER: Make it short and sweet now.

11

12 MR. MATHEWS: I think we'll have to have it a little
13 quieter in the room.

14

15 CHAIRMAN MILLER: Quiet please.

16

17 MR. MATHEWS: I apologize for breaking up the train of
18 thought but we had to do logistics.

19

20 CHAIRMAN MILLER: Okay, let's go ahead.

21

22 MR. TWITCHELL: Mr. Chairman, Council members, I'm
23 Hollis Twitchell with Denali National Park. I have three items
24 I wanted to bring to your attention today. Two of them are
25 just for your information. The third item I just have a
26 request I would like to ask the Council for your consideration
27 on an action.

28

29 The first item that I'll talk about is at the last
30 Subsistence Resource Commission meeting held in August, the
31 Commission is working with us on trying to develop a
32 subsistence management plan for the Park. During the meeting,
33 just previous to that, the Commission had asked if we would
34 prepare a user guide since they felt that the subsistence
35 management plan would be too thick, too burdensome to a lot of
36 the subsistence users to really understand what was going on.
37 So at the last meeting we pulled together information and
38 presented it into the user guide, which is this format that you
39 have before you now. The Commission has only had one
40 opportunity to refine it so it's not a final draft as you see
41 it. But they wanted to get it out to you at this point so if
42 you had the time, not at this meeting, but at your leisure, to
43 look at it, any suggestions that you might have on the guide,
44 they would welcome your comments and suggestions.

45

46 The focus that they had for this is they wanted
47 something that the users in the villages and the communities
48 around Denali can pickup and try to understand what the heck is
49 going on in terms of the Federal program, in terms of the State

50 and also what they could and couldn't do for subsistence in the

0052

1 Denali area. So the target audience for this user guide is
2 really the users themselves, rather than just the general
3 public at large. They felt that that was something that was
4 important and needed.

5
6 Both this user guide and the subsistence management
7 plan, when they get it a little further along will come back to
8 all the Councils for further comments and suggestions. So
9 you'll see these again at a later time.

10
11 The second item was at their meeting, they prepared a
12 number of letters to send out regarding issues they had
13 concerns on. I'm not sure what all letters Vince has available
14 in your packet.

15
16 MR. MATHEWS: Well, I better -- it's the same that was
17 in Western but it would be the letter to Roy Ewan from -- by
18 accident, I don't have the second page of it. But it was the
19 letter to Roy Ewan in response to Kantishna. There's the
20 letter to Roy Ewan from Robert Barbee -- well, I have a copy,
21 hopefully you guys don't have the same situation -- well,
22 apparently you do where it didn't copy on the back side -- oh,
23 no, you don't have all the letters that would come from the SRC
24 because it didn't get double-sided.

25
26 MR. TWITCHELL: Okay.

27
28 MR. MATHEWS: Meaning on the back of each of these ones
29 from the SRC were additional letters. They didn't come
30 through. I don't think there was another letter from the
31 National Park Service to Roy Ewan but you don't have the second
32 half of it. And I apologize for that, that would have been my
33 copying and the machine wasn't told to do back sides.

34
35 So the record should reflect that the full letters that
36 I stumbled through there are in front of you except the two
37 from -- except the one that I believe is from Director Barbee,
38 the National Park Service to Roy Ewan.

39
40 MR. TWITCHELL: I won't spend a lot of time on these
41 letters, just point out that the Commission, knowing that there
42 are a lot of concerns about customary and traditional use
43 determinations that they've had to deal with in our area that
44 were very problematic. They took the time to review the c&t
45 task group recommendations on the c&t process. And they did
46 after discussing for some time in the meeting, come up with a
47 motion where they supported the modified factor option. They
48 did have a number of changes that they recommended to that
49 modified factor option. That will be probably taken up at a

50 later time at this meeting so I won't go into any further

0053

1 details on it.

2

3 The other letters were to the Federal Subsistence Board
4 and to the Secretary of the Interior expressing their concern
5 about a proposal that effects an individual in the Denali area.
6 It was Proposal 38 that dealt with Dan O'Connor, which the
7 Federal Subsistence Board deferred action on that proposal
8 referring it to the solicitor's office for an evaluation of
9 whether they have the authority to make the individual
10 exceptions to c&ts. The Commission was not happy with that
11 deferral and this letter is urging that that review be done as
12 quickly as possible and that the proposal come back to the
13 Board for action. So they wrote both to the Board and to the
14 Secretary expressing their concern about the further delay.
15 And they also wrote a letter to Dan O'Connor explaining their
16 concerns about that action.

17

18 Those are the letters that I have from the SRC. The
19 third item that I wanted to put out to the Council is we're
20 also concerned about the delay that the review by the solicitor
21 is having. And would request the Council consider a motion or
22 a letter to the solicitor or to the Federal Subsistence Board
23 requesting that that review be done as quickly as possible so
24 that resolution of this issue can occur. So that's the one
25 thing I would put forth requesting some sort of support to get
26 a quick review.

27

28 MR. GOOD: We have supported this in the past and I
29 believe we still do. I would move that our Chairman submit a
30 letter to the Federal Subsistence Board asking for immediate
31 resolution to the matter at hand. And as a man lives a finite
32 number of years, they've taken another year out of his lifetime
33 of hunting there, and cost him at least one more hunting
34 season. And this should be done prior to costing another
35 hunting season.

36

37 CHAIRMAN MILLER: Is there a second?

38

39 MR. GOOD: That was a motion.

40

41 CHAIRMAN MILLER: Is there a second?

42

43 MR. NICHOLIA: I'll second it.

44

45 MR. FLEENER: I have a question. Is there any
46 information on where they're at in looking at this? Are they
47 still at the beginning, in the middle, towards the end or is
48 there an end; does anybody know?

49

MR. TWITCHELL: I've not heard any specific status of

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1 where the solicitor is in his review at this time?

2

3 MR. BOYD: Regarding Dan O'Connor?

4

5 MR. TWITCHELL: That's correct.

6

7 MR. BOYD: My understanding is that the solicitor is
8 not going to reviewing that request. That their previous
9 finding and you may correct me if I'm wrong, Sandy, the
10 solicitor reviewed the regulations when they were published and
11 in that review, they concurred with everything that was in the
12 regulations, including individual c&t. So the latest
13 information I've received which is about two weeks old is that
14 the solicitor will not be responding to the letter from Board,
15 in essence, their response is that the regulations, as they
16 currently are written stand, and that individual c&t for Park
17 Service lands is -- as contained in the regulations are
18 appropriate.

19

20 They've already reviewed the regulations and have
21 approved them, which contains a provision for an individual c&t
22 determination. So I've been on leave over the past week when a
23 lot of this has been developing so I'm not exactly sure where
24 we stand on that, but that's my understanding right now.

25

26 MR. FLEENER: So Mr. O'Connor is requesting an
27 individual c&t?

28

29 MR. BOYD: Yeah.

30

31 MR. FLEENER: It is allowed for in the regulation, they
32 have just turned him down for.....

33

34 MR. BOYD: Well, no one has turned him down at all.
35 What they did was they deferred the proposal made, pending the
36 review, and the latest that we received from the solicitor over
37 the last couple of weeks, verbally, is that they will not be
38 responding to the Board's request for the legal review. That
39 it's unnecessary.

40

41 MR. FLEENER: And would that mean then that it's okay
42 for him to.....

43

44 MR. BOYD: That the proposal will come back to the
45 Board for action. That's what it means.

46

47 MR. FLEENER: So then our -- your motion then really
48 won't serve a purpose because the solicitor's not even looking
49 at it at all.

0055

1 MR. BOYD: Not the request for individual c&ts for Park
2 Service lands, that's correct.

3
4 MR. FLEENER: And is this request going to be brought
5 before the Board at their next meeting?

6
7 MR. BOYD: It will be on the agenda for the next --
8 well, I don't know exactly when it's going to come up but it
9 was a deferred proposal last May so I'm going to presume it's
10 going to come up next spring.

11
12 MR. FLEENER: And is Mr. O'Connor wanting to be allowed
13 to hunt before then, is that.....

14
15 MR. TWITCHELL: Well, this proposal is for the ability
16 to use moose on Denali Park lands, so the next.....

17
18 MR. FLEENER: Is there a season between now and the
19 next meeting?

20
21 MR. TWITCHELL: That is correct. There's a winter
22 season that opens November 15th through December 15th that he
23 would be eligible if he had an authorization to use, otherwise
24 the fall season opens up September 1st and goes through
25 September 30th.

26
27 MR. FLEENER: And I know it's difficult to speculate,
28 but under most situations similar to this, would the Board have
29 approved this or is it a very controversial.....

30
31 MR. BOYD: I can't answer your question. I don't think
32 the Board has ever approved an individual -- the Board has
33 never approved an individual c&t determination. It's never had
34 one in front of it except for this one.

35
36 MR. FLEENER: And I know the Eastern Interior talked
37 about individual c&t or -- Vince.

38
39 MR. MATHEWS: Yeah, I think the best thing at this
40 point is to get all the facts on the table so the Council can
41 realize where we're at because you have not been briefed on
42 what happened at the Board level. You took action on Proposal
43 48 and George can correct me if I get this wrong, but you
44 debated Proposal 38 at quite length and decided your action,
45 off the top of my head was that all 1344 permits, and I hope
46 everybody here understands what the 1344 -- for those in the
47 public, we just have to move on and you'll have to catch up,
48 but that you wanted all 1344 permittees to be granted
49 individual c&ts, not individual names of the actual. When it

50 came into the process, there was a deferral of any further

0056

1 review of that pending solicitor review of the action. Okay,
2 that's the facts to the point. I have to remind you the motion
3 on the table, as I understood it, was a letter to the Federal
4 Subsistence Board requesting expedited action, not to the
5 solicitor. So that can be amended, changed, whatever. But
6 that's the motion that I caught.

7
8 But now Tom has brought up additional data that the
9 solicitor is not going to, to his knowledge, is not going to do
10 any further review of this -- within regulation to allow
11 individual c&ts. And he's also said that most likely the
12 proposal will be before this May.

13
14 Saying all that, I think your action is still -- your
15 motion is still a very good motion even though the fact that
16 maybe not much will be done but you will be informing all that
17 you still have a high interest in this issue. And that you
18 want it to be known that it's continuing through. Obviously if
19 38 is before the Board, your past action will be noted, you'll
20 have this before you at your winter meeting, coming up in
21 February/March.

22
23 So I think there's -- hopefully other Staff can help me
24 but that's all the facts up to this point right now.

25
26 MR. FLEENER: Mr. Chair.

27
28 CHAIRMAN MILLER: Go ahead, Craig.

29
30 MR. FLEENER: Hollis, do you know if Mr. O'Connor's
31 request is specifically aimed at himself or is he also
32 interested in the rest of the 1344 permittees?

33
34 MR. TWITCHELL: His initial proposal is primarily for
35 himself.

36
37 MR. FLEENER: And so his letter is also for himself?

38
39 MR. TWITCHELL: Well, this is the Subsistence Resource
40 Commission that's requesting this. And so, yes, it was only
41 dealing with himself. They are aware that the proposal was
42 modified by the Eastern Interior Council with the concerns
43 about individuals names appearing in the regulation booklet and
44 that all individuals who have gone through the process of
45 showing their eligibility should be eligible and they're very
46 comfortable with that position. That position was also adopted
47 by Western Interior and Southcentral Regional Advisory
48 Councils. And so all three of the Councils associated with
49 Denali are in alignment, in agreement with the modification

50 that this Council asked.

0057

1 MR. FLEENER: And so the solicitor's opinion is that
2 this is a legal course of action or is it not? Yes. I see
3 Bill nodding yes.

4
5 MR. BOYD: Well, in a nutshell, yes. Because when they
6 reviewed the regulations in 1990 which contained this provision
7 they approved it. They haven't done an opinion, per se. I mean
8 that's legal terminology. But they have not said it's not
9 legal and essentially they approved the regulation. So in
10 essence, they've given a green light -- I mean they said
11 everything appears fine to them.

12
13 MR. FLEENER: I don't remember the entire discussion
14 but my main reason for asking that was what was the reason for
15 the deferral? Was it just to see if it is legal?

16
17 MR. BOYD: Yes. In essence the Board requested -- the
18 Board requested.....

19
20 MR. FLEENER: Right.

21
22 MR. BOYD:of the solicitor an opinion on this
23 particular provision.

24
25 MR. FLEENER: Okay. And then can you restate your
26 motion?

27
28 MR. GOOD: In it's simplest, it was a motion requesting
29 that the Federal Subsistence Board expedite action on this
30 issue.

31
32 MR. P. TITUS: Do we vote on this?

33
34 MR. FLEENER: I think so. I think this is just asking
35 the Subsistence Board to do what we asked them to do at the
36 Board meeting. So it's just reasking them.

37
38 MR. GOOD: A reminder.

39
40 MR. FLEENER: I guess -- yeah, might as well.

41
42 MR. P. TITUS: For this individual -- we're doing it
43 for this individual.....

44
45 MR. FLEENER: No.

46
47 MR. P. TITUS:or everybody?

48
49 MR. FLEENER: For all 1344 permittees.

0058

1 MR. P. TITUS: Okay, that's the question I got. I
2 don't want to turn around and say last year we were all in
3 favor of everybody that put in permit and then right now we're
4 saying, okay, only Dan O'Connor we're going to support. That's
5 not where I'm coming from.

6
7 MR. FLEENER: I think the record will also show that
8 we've had enough discussion about this in the past and now to
9 show that we're not just supporting the addition of a name into
10 the reg book, but all 1344 permittees.

11
12 MR. TWITCHELL: That's correct.

13
14 MR. MATHEWS: Mr. Chairman.

15
16 CHAIRMAN MILLER: Vince.

17
18 MR. MATHEWS: Correct me if I'm wrong, but it would
19 also indicate that there is concern within this motion that the
20 letter should have the concern that there's a loss of
21 subsistence harvesting opportunities by this individual because
22 of this delay. That that's why you're requesting this letter
23 because -- again, he's lost another year -- you're saying that
24 that should be incorporated in the letter.

25
26 MR. GOOD: Yes.

27
28 MR. FLEENER: Yes, I would agree with that.

29
30 MR. MATHEWS: Okay.

31
32 MR. GOOD: And so is everybody else, too, you know.

33
34 MR. FLEENER: Question.

35
36 CHAIRMAN MILLER: Question's been called. All in favor
37 of the motion signify by saying aye.

38
39 IN UNISON: Aye.

40
41 CHAIRMAN MILLER: Opposed same sign.

42
43 (No opposing votes)

44
45 CHAIRMAN MILLER: Okay, moving on.

46
47 MR. TWITCHELL: Thank you.

48
49 MR. MATHEWS: Park Service, there's Yukon-Charlie

50 National Preserve, Wrangell -- how could I forget, but anyways.

0059

1

CHAIRMAN MILLER: Phil, you want to take five minutes?

3

4

MR. P. TITUS: Yeah.

5

6

CHAIRMAN MILLER: Excuse me, we'll take a break.

7

8

(Off record)

9

(On record)

10

11

CHAIRMAN MILLER: Hey, Luke -- Luke, let's go ahead and have him so he can give.....

13

14

MR. MATHEWS: Before Wrangell goes or do you want to do it first thing after lunch?

16

17

CHAIRMAN MILLER: Do you want to talk now or after lunch?

19

20

MR. FLEENER: Now.

21

22

CHAIRMAN MILLER: Okay, we'll just let him do it now.

23

24

MR. MATHEWS: Do it now then?

25

26

CHAIRMAN MILLER: Yes, we'll go ahead and have him now then.

28

29

MR. P. TITUS: We're going to cut you off Heather, you talk too much.

31

32

CHAIRMAN MILLER: Just go ahead right now Luke.

33

34

MR. P. TITUS: Right now, sit down and talk. Let's quit beating the bushes here.

36

37

MR. MATHEWS: Let the record reflect that we're now getting fancy with lapel microphones and everything. Maybe we'll finally get a roaming mic instead of a wired mic.

40

41

CHAIRMAN MILLER: Okay, Luke.

42

43

MR. L. TITUS: Okay, thank you, Committee members for allowing me to speak. I'm Luke Titus. Subsistence user from the Minto management area. I was born and raised here at Minto and lived out here all my life. There's a couple of things I'd like to talk about about the Minto management area.

48

49

This year I really feel the pressure from areas around

50 us, especially Fairbanks. Fairbanks and also Nenana, and also

0060

1 the Lower Tanana River area. Concerning all the game that we
2 have, fishing is one. We moved away from the Tanana River and
3 one of the things that we found out here is that the fishing
4 season, the regulations that they have for subsistence users
5 putting it on time, opening the season at say 24 hour at a time
6 in the fall time. And I used to run dogs, I used to use dogs
7 for trapping. The regulation that was set just did not work
8 for me because of the weather in the fall time, trying to put
9 up 2,000 or 3,000 fish for the winter and racing against the
10 weather from the distance we have here to the Tanana River area
11 just didn't work for me sometimes. Which made me have to go by
12 highway to Nenana and put up fish there. That was one thing
13 the regulation on the subsistence users on the Tanana River.

14
15 The other thing I'd like to address is the fall hunting
16 season we have, the Tier II permits that they draw. And being
17 a resident from Minto I do not have -- I did not have my name
18 ever drawn for permit -- a Tier II permit. Which I think is
19 detrimental to the residents here. I think a lot of times the
20 drawing would have people come into the area who do not
21 normally use the foods like we do. And a good example is the
22 big write up of moose horns in the Fairbanks Daily News Miner
23 this year showing off the size of the moose horns. And to us
24 that doesn't matter, the size of the horns. Being a
25 subsistence user I norm -- I would try to get my moose early in
26 the hunting season. If I do not get it at that time I would go
27 for the smaller moose later on in the fall run because normally
28 the big moose are pretty well run. They're tasteless. They're
29 awful tasting late in the rutting season. So this year I had
30 to get a smaller moose late in the fall because I couldn't get
31 any early in the hunting season.

32
33 The other thing I noticed being a hunter in this Minto
34 management area is that the hunters that come in, we have the
35 Tazlina River, which we normally use for hunting and there's
36 plenty of moose to go around. There's no problem with the
37 moose population. Also the Chatenega (ph) River and the Little
38 Goldstream River coming out of Dunbar and Nenana area. I have a
39 trapline at Dunbar at the Old Mail Trail, they call Old Sled
40 Dog Trail, and I usually go -- my permit allows me to hunt
41 above the trail that goes from Dunbar to Old Minto, so I
42 usually hunt in that area and my trapline. I notice this
43 couple of years now that there's more hunters coming in from
44 other areas. And I'm talking about Tier II permits, which
45 allows these people to come in and hunt, which really put the
46 pressure on his residents here. People don't understand that
47 we have -- that when we go out we have certain areas where we
48 put up camp, where we put up tent to hunt, we do this for a
49 reason. We do this because it allows the animal to move

50 around. And we don't -- just because we see a good place to

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1 camp along the creek we don't put up camp there. We have
2 designated places that we use. All the residents here in Minto
3 know that. They know where they're going to go to hunt. And
4 this last couple of years, you see these people coming in and
5 they just put up a tent anyplace which moves the animals in
6 different directions, different way of what we're normally used
7 to.

8
9 The other thing is that the -- I'm hoping that the
10 Bureau of Land Management would be mindful of the use that we
11 have here in the Minto Flats just because we move away from Old
12 Minto doesn't mean that we don't care about that place, we do
13 care about the timber cutting that's done in that area. And it
14 really effects a lot of things for us, you know. I know we're
15 regulated by the plan that we put into effect here and also to
16 the possibility of clear-cutting all the way around the Tanana
17 River. And it has a lot of effect on the animals. Just
18 because it's done on the Tanana River doesn't mean it effects
19 us here in Minto, it does.

20
21 The other thing I'd like to mention is the fall
22 hunting. It seems like more and more is being -- like this
23 year we hardly see any ducks or geese come into Minto Flats.
24 It's slowly changing. And you know, they -- it's too bad it
25 has to happen that way. As a subsistence user, like one
26 species that we use, what we call the black ducks, they come
27 usually in June, end of May or June and they're here for
28 probably two weeks, and that's it, we never see them again.
29 And a regulation to permit us to take those game or any other
30 game for that matter during that time and then the rest of the
31 summer we don't bother those ducks and geese because we know
32 that they're having eggs. You know, that they're raising their
33 young. And then in the fall time when they're ready to go back
34 is when we go out again to try to get those animals.

35
36 The other thing that I think we're going to have
37 problems with here in the near future is the traditional use of
38 animals. You know, taking animals during funeral. We're
39 having -- we lose a lot of people during the year and if it
40 keeps going at the rate it's going the last five years, you
41 know, the traditional use of animals is going to effect us and
42 I think a lot about that because we're permitted to do that.
43 and if the people that come in to this country is going at the
44 same rate as allowing us to take these game for traditional
45 use, you're going to have problems along the way some place.
46 You're going to have to have these two groups come together and
47 something's going to have to give somewhere along the line.

48
49 Last thing I'd like to mention is that due to the road

50 access here in Minto, we have a lot of people come out here and

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1 sometimes it's overwhelming for us to have these people come
2 right to Minto, right down to the dock where we have boats.
3 And that really bugs the heck out of me when they do that
4 because I live here and I use this place. And it's like coming
5 into my backyard. And just having no consideration of what I
6 do here in the village. They're setting up their trailers and
7 lawn chairs and everything down on the dock. And I know one
8 time we tried -- this is all by the State, I understand, but
9 the State claims that they have a right-of-way on the highway
10 running to the dock, you know. And it really effects us here
11 in the village when people do that. And I don't mind. I don't
12 mind sharing my land, the resources with other people. But
13 when you go out there where they fish and where they camp and
14 it's dirty and, you know, they don't take care of the land,
15 that bothers me. That really bothers me because these people
16 just have no consideration for those of us that are living
17 here. And I come here and I don't mind sharing what I have
18 with other people. If they come out here to fish and -- or
19 anything like that, I would be more willing to share that with
20 other people. But when they take advantage of you like that,
21 then it really makes you think of what kind of management we
22 have over this kind of thing. And I really think that we need
23 to do something here in the Minto management area soon before
24 the problems begin to get too big for us.

25
26 One suggestion is that all the agencies get together
27 and work things out where it would be good for us, for
28 everybody to use this land. And that's the thing that I really
29 like to see, is that better management for our area take place.
30 Because we're close to Fairbanks, we're -- you know, this is an
31 ideal place for people to come and I think that all these
32 things that I'm talking about, if we do allow people to come in
33 like we're doing now without any -- turning away anybody, it's
34 going to end up in a problem someplace. And I just really feel
35 that if it keeps going like that that I'll be on the short end
36 of it as a subsistence user. You know, I'm going to have to
37 fight for what I have been doing all my life and I don't like
38 to see that. I like to see something in place right now.
39 Minto is growing. It's going to be a real big place pretty
40 soon. And I think we need to look at the future also.

41
42 I thank you for the time for allowing me to do this.

43
44 CHAIRMAN MILLER: Thank you, Luke.

45
46 MR. FLEENER: Thank you. Vince has something.

47
48 CHAIRMAN MILLER: Go ahead Vince.

49

MR. MATHEWS: Most of the issues that Luke brought up,

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1 I consulted with the State and I think they will probably talk
2 to him individually. But you've made it clear over the years
3 that you look at subsistence in its totality and not just under
4 Federal, State or whatever other window. So I believe some of
5 the State is -- it's too bad the area biologists that could
6 possibly address a lot of his questions has been weathered out
7 or is en route. So with that -- and hopefully he and others
8 could sort out -- because he was addressing several planning
9 processes at once. And may be he has the solution there, that
10 they should all work under one plan.

11
12 But anyways, that would be best addressed probably by
13 the area biologist. So we've heard him and I wish we could
14 respond with actions but it is outside the purview of this
15 program, most of the issues he's brought up.

16
17 MS. YATES: I'm Heather Yates with Wrangell-St. Elias
18 National Park and hopefully everybody has a copy of this agency
19 report in front of you. It looks like this. I'll be following
20 that pretty closely.

21
22 To start out with there's three maps in front of you.
23 There's a moose hunt map, sheep and a caribou hunt map.
24 Northway and Tanacross had requested that we do this last year
25 and we've done it for them for this year also. And the maps
26 pretty much show the Game Management Unit boundaries, season
27 and bag limits and the -- I'm not sure what else it has on
28 there actually. But also we've extended these to the eight
29 villages, the Ahtna villages have also requested that we put
30 maps together like these for them, and the McCarthy area, we're
31 also going to make one for that area.

32
33 So this is the time to request if you want one for
34 anywhere else. But that's pretty much for the Northway,
35 Tanacross area.

36
37 MR. P. TITUS: Are you making maps for all the species
38 -- all the resources?

39
40 MS. YATES: What's that?

41
42 MR. P. TITUS: Are you making maps for all the
43 resources?

44
45 MS. YATES; Pretty much for moose, caribou and sheep is
46 what we've been working on.

47
48 MR. GOOD: But this is just National Park Service
49 though?

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1 MS. YATES: Right.

2

3 MR. GOOD: Right.

4

5 MS. YATES: Game Management Units.

6

7 MR. P. TITUS: How about water.....

8

9 MS. YATES: Water -- no. And also last year or last
10 meeting everybody got a copy of the Wrangell Subsistence Plan
11 and that's in the final draft. It's going to be out November
12 17th for our Wrangell's meeting if you want to write that down.
13 It's November 17th and 18th is the Wrangell's SRC's meeting in
14 Gulkana. So we'll have new ones to bring to you during your
15 next meeting.

16

17 And a new addition to our outreach projects is the
18 subsistence brochure which everybody got a copy of. And the
19 one side it's got a map of the Nabesna and McCarthy area. And
20 on the inside it has pretty much all the questions that the
21 public always calls about in a simplified version. And this is
22 going to go out to all the subsistence users in the Park and
23 not to general public.

24

25 MR. P. TITUS: When there's questions from the general
26 public, do they ask if people depend on the resources in the
27 Park?

28

29 MS. YATES: If they solely depend on resources?

30

31 MR. P. TITUS: I mean just do they, you know.....

32

33 MS. YATES: No, not really.

34

35 MR. P. TITUS: Are they ignorant of people depending on
36 the resources in the Park?

37

38 MS. YATES: Uh-huh, not at all. Also the environmental
39 assessment for addition of the four communities, Tetlin, Dot
40 Lake, Tanana and Northway is in its 45 day public comment
41 period. This period will go through November 14th and we have
42 on the back, a public meeting notice that on October 28th at
43 Tanacross Community Hall at 7:00 p.m., and October 29th at
44 Tanana Chief's Conference Office in Tok at 7:00 p.m. is the
45 public comment period for the environment assessment. And thus
46 far we haven't received any comments which is good.

47

48 Next. Okay, our wildlife biologist couldn't make it so
49 I will give his report. This is concerning the Mentasta

50 Caribou Herd. Composition counts were conducted in both June

0065

1 and September. The June counts indicate a cow/calf ratio of 13
2 calves to 100 cows. This is comparable to 1997 ratio. The
3 June population totaled 416 caribou, this is down 31 percent
4 from last year. And the September count indicated a
5 bull/cow/calf ratio of 43 bulls to 100 cows to 10 calves. This
6 is up from last year. The September population totaled 535
7 caribou which is down 13 percent from last year and there was
8 no hunting season for Mentasta this past year.

9
10 A new research project will look at seasonal movements,
11 range use patterns and survival of bull caribou in the Mentasta
12 Herd beginning in 1999.

13
14 Also we have a fish weir on the Tanada Creek. This is
15 the second year this has been managed. This is near
16 Batzulnetas. The crew counted a total of 28,992 sockeye salmon
17 passing through the weir between June 2nd and August 21st.
18 Very low water prevented salmon from moving upstream earlier.
19 Last year the crew estimated 27,521 salmon passing through the
20 weir. And 1998 was the second year of this monitoring project
21 but we're going to continue it also into next year.

22
23 Next is the water fowl hunt request. The short answer
24 to this, it's still also in the regional solicitor's office.
25 But I have a paragraph from our chief ranger that I would like
26 to share with you. A request was made for the National Park
27 Service to pen a fall water fowl hunt in spring and summer hunt
28 and egg gathering season for subsistence users in the Park.
29 Migratory water fowl are regulated by the Migratory Treaty Act.
30 ANILCA does not take precedence over the Migratory Bird Treaty
31 Act. The authority to make regulations under the Migratory
32 Bird Treaty Act has been delegated to the Department of
33 Interior, U.S. Fish and Wildlife Service by the Secretary of
34 the Interior. The National Park Service has approached the
35 U.S. Fish and Wildlife Service about this issue and has been
36 told that the Fish and Wildlife Service does not object to --
37 does not object, in principal, to a fall hunt. However, U.S.
38 Fish and Wildlife does not have the authority to authorize such
39 a hunt in a national park. The fundamental problem is that in
40 order to permit a hunt, there must be regulations in place to
41 manage the hunt. U.S. Fish and Wildlife does not have the
42 authority to make regulations permitting a hunt in the Park.
43 The National Park has informally asked the U.S. Fish and
44 Wildlife if they would consider supporting the request to the
45 Secretary of the Interior to delegate to the National Park
46 Service a limited rulemaking authority under the Migratory Bird
47 Treaty Act. U.S. Fish and Wildlife is not willing to support
48 this request because they feel that the Migratory Bird Treaty
49 Act is national in scope and a redelegation of authority would

50 be poor policy on a national scale. The Park Service has asked

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1 solicitor's office in Anchorage to give us an opinion as to
2 what authority the National Park Service or the Federal
3 Subsistence Board might have to propose regulations permitting
4 a hunt in a national park.

5
6 And we are awaiting the solicitor's answer.

7
8 CHAIRMAN MILLER: Go ahead, Vince.

9
10 MR. MATHEWS: I don't know where to begin with the
11 water fowl hunt request other than to do the same I did with an
12 earlier issue is to give you the factual, where you've stood on
13 this and then try to figure out why one agent -- two agencies
14 with under the Department of Interior cannot work something
15 out.

16
17 I'm at a loss, the logic here doesn't seem to apply.
18 But basically your history with this action goes back to 1996
19 where you sent a letter to John Vale, and you copied the
20 regional solicitor, the superintendent of the Park, the field
21 director and Tom Boyd, supporting the SRC's request to allow
22 water fowl hunting on Wrangell-St. Elias National Park
23 consistent with State seasons and harvest limits. Last June or
24 your last meeting you requested that letters be sent to
25 Secretary Babbitt, again to the regional solicitor and to Mr.
26 Barbee saying what has happened in the two years since your
27 earlier request, and why can't this be allowed. The response
28 here is indicating that unless the Park Service is given
29 authority from the Fish and Wildlife Service, they will not
30 allow a hunt to go on is the way I understand it. And that
31 they're asking a solicitor's opinion to see what other avenues
32 are open.

33
34 I'm confused on this because when I talked to the
35 Ranger on this I used the example of if him and I went out to
36 hunt on the Preserve for water fowl, on the fall hunt we could.
37 If you -- on the Preserve now, I did say Preserve. If you were
38 a qualified subsistence user, either under 1344 or a resident
39 zone community -- a member of the resident zone community and
40 you wanted to go water fowl hunting on Park lands, in fall, you
41 could not.

42
43 And I still cannot figure out the logic of why on one
44 land managed by Park Service X activity can happen, where on
45 another land it requires a change of the Migratory -- or
46 delegation of authority that they would allow the hunt. So I'm
47 at a loss on it. And I'm really kind of stepping out of my
48 role but this has been spinning since 1996.

49

CHAIRMAN MILLER: Go ahead, Craig.

0067

1 MR. FLEENER: I got a question, why can't the Park
2 Service make a -- open a hunting season on the Park? Why do
3 they have to ask somebody else if they can do it? Maybe this
4 handsome gentleman right here can answer that question.

5
6 MR. RABINOWITCH: Thanks for the compliment, Craig.
7 I'm Sandy Rabinowitch for the National Park Service. I think I
8 can answer the question that Vince puts on the table, but
9 unfortunately don't have any solutions to the dilemma. And I
10 think clearly there is a dilemma. I think the crux of this in
11 terms of the Preserve versus the Parks and the Monuments is
12 that Preserves are open to sport hunting. So any sport hunt
13 that there's a season and a bag limit for anybody in the state,
14 you know, with an appropriate license and hunting under an open
15 season can go hunt. Any of us in the room. So that's for
16 Preserves.

17
18 With Parks and Monuments, ANILCA only allows hunting in
19 Parks and Monuments for subsistence use. And it allows it in
20 accordance with the Act, which is ANILCA. So the dilemma, as I
21 understand it, and it is pretty complicated, but as I
22 understand it, is that, if you read through ANILCA, what you
23 find is taking in fish and wildlife, the Park Service doesn't
24 -- as far as I know, at least anywhere in Alaska, we don't have
25 the authority to open seasons and bag limits under our own
26 authority. Historically it was done through the State system
27 as you all know and then since the Federal Board, it's done
28 through this process.

29
30 The Federal Board has not been delegated the authority
31 to manage the Migratory Bird hunting that goes on. That is
32 done through Fish and Wildlife Service, as I think you all
33 know. Now, obviously, the same Secretary sits atop the Fish
34 and Wildlife Service and the Federal Subsistence Board. So the
35 dilemma is, as I understand it, the law says that hunting in
36 National Parks is subsistence use only. In ANILCA you're
37 dealing with fish and wildlife that doesn't include birds,
38 because that's been delegated previously to the Fish and
39 Wildlife Service.

40
41 I'll stop there. I'm hoping that helps. I don't know,
42 that's as simple as I can put it.

43
44 MR. P. TITUS: Do they realize that there's no jobs in
45 Alaska and these people have to depend on the resource that's
46 coming back in the spring time to eat?

47
48 MR. RABINOWITCH: I think so, yes.

49

MR. P. TITUS: I mean do they -- they get pay checks

0068

1 every two weeks and they don't give a damn if ducks and geese
2 come back, they don't even give a damn if I got shells to shoot
3 them with, and they say you can't do it -- if they tell me I
4 can't live on my own land, they might as well move back to
5 England, wherever they come from and tell them guys they can't
6 live on their own land. Because God gave me this land long
7 before there was white people in this country. And he gave me
8 the resources to live on it. And he gave everybody else the
9 resources to live on this land historically. And that's a
10 pretty ridiculous thing to say, you guys are Gods and they
11 created fish and game and they could regulate it. They done a
12 fine job to regulate the fish all right, they didn't come back.

13
14 MR. FLEENER: What's it look like our next step is?

15
16 MR. RABINOWITCH: Well, as I think Heather explained
17 what we're waiting for is for the solicitor to respond to the
18 Park Service, if there's a way to hook these two laws together
19 or not. I mean as I.....

20
21 MR. FLEENER: So the Park Service has to get permission
22 from the Fish and Wildlife Service but the Fish and Wildlife
23 Service is saying no, we're not going to do that because it
24 doesn't follow sound principals of something?

25
26 MR. RABINOWITCH: Well, because this isn't a directly a
27 Federal Board issue, it's not something that I've personally
28 worked on. As I say, my grasp of it is that the Park Service
29 has identified all the possible ways that this might be allowed
30 and that's what Heather explained. And then has pursued each
31 of those independently and gotten some answers and you've heard
32 those and some of those have been negative. You know, they've
33 run the rabbit trail and hit a dead end.

34
35 And I think, I'll see if Heather agrees with me, I
36 think the last one being run down right now is a solicitor's
37 kind of route, because I think the others have been answered in
38 a negative fashion to see if the solicitor thinks that you can
39 hook together the new language in the Migratory Bird Treaty,
40 okay, with the language in ANILCA and make them work as opposed
41 to not work, okay. That is, say yes instead of say no.

42
43 And my understanding is we're waiting on that answer at
44 this point.

45
46 MR. FLEENER: And you're also saying that the Federal
47 Subsistence Board doesn't address issues of migratory birds
48 even though maybe not legally is a considered subsistence
49 resource but I think everyone would consider it a subsistence

50 resources, and it sounds kind of odd.

0069

1 MR. RABINOWITCH: All I'm trying to say there is if you
2 look through -- I don't disagree with you at all about what is
3 and what isn't a subsistence resource. I mean I think everyone
4 in this room probably shares a common understanding, you know,
5 that birds are used, have been used, et cetera, et cetera.
6 What I'm saying is that if you look at what the Federal Board
7 has been delegated to do by the Secretary, the Federal Board's
8 not been delegated the authority to manage migratory bird
9 hunting. That authority was some number of years back -- I
10 don't know how long, delegated to Fish and Wildlife Service and
11 still remains there. That's all I'm trying to say about it.

12
13 MR. FLEENER: Well, I realize what you're saying it
14 just seems particularly strange that I think everybody around
15 would consider water fowl a subsistence resource. And
16 everybody would say, you know, whether or not if it's important
17 to them and here we have a subsistence issue and the Board is
18 deferring it to the solicitor because they don't feel that they
19 can address it. I guess it's all strange legal tangles, but
20 it's kind of strange.

21
22 MR. RABINOWITCH: Yeah, I think it's incorrect to say
23 that the Board's deferred it, because I don't think this has
24 come before the Board. Would you agree, Tom, that this.....

25
26 MR. BOYD: That's right.

27
28 MR. RABINOWITCH:that has come up from the
29 Subsistence Resource Commission to the Park Service. And so in
30 exploring how to be able to respond to the Subsistence Resource
31 Commission, again the Park Service looked at all the different
32 ways it could think of and one of them is -- and perhaps the
33 last possible positive approach, is to see if the solicitor
34 thinks the language in the new Treaty Act can be linked with
35 the language in ANILCA. And I was just trying to look at that
36 when you were talking, I think it's Section 1314 of ANILCA,
37 some of the key language.

38
39 So it's trying to legally link 1314 Title VIII and the
40 new Migratory Bird Act. And that I think is the question in
41 front of the solicitor; can those be linked together and can
42 this be, you know, said yes to. I don't know what they're
43 going to say.

44
45 MR. FLEENER: So really unless we say, unless we make a
46 motion or something to send something to the Board, as just a
47 point of information, there's not a whole lot we can do about
48 it because it's not a Council issue. I mean I think it's an
49 important issue because it's a subsistence resource. I mean, I

50 think, but who knows.

0070

1 Thank you, Sandy.

2

3 MR. RABINOWITCH: I'm sorry it's so frustrating. I
4 mean I wish we had something better to offer.

5

6 MR. MATHEWS: The only other thing that I had there
7 again I end up being your library of history, so you did take
8 action earlier to support adding the four communities and
9 hopefully Philip Titus remembers, because I'm really straining
10 my memory, but I believe you supported Northway, Tetlin,
11 Tanacross and Dot Lake earlier on. I think she mentioned that
12 the comment period on the environment assessment closes, when
13 -- I suppose I need to ask her a question if I can, as I'm
14 somewhat your Staff -- has their concerns been used or been
15 incorporated? Has their actions been involved in the
16 environmental assessment process, their earlier actions?

17

18 MS. YATES: That they're included?

19

20 MR. MATHEWS: Yeah, their letters of support. I don't
21 remember, I think David Jaynes wrote one before and then there
22 was one in '95 or so that you guys dealt with.

23

24 MS. YATES: Yeah, we have those included. This is just
25 another time to comment again.

26

27 MR. MATHEWS: I didn't want -- because of the way we've
28 been running this meeting, I think it might have been lost that
29 she was informing you, you don't have to get into this process,
30 but I kind of sensed the way I looked at you that it kind of
31 might have went over your head. You don't have to take any
32 action. She's acknowledging that past actions are aware of.

33

34 MR. P. TITUS: Did Healy Lake.....

35

36 MS. YATES: I was just going to say that, Healy Lake
37 was considered after the fact. These had been before Healy
38 Lake put a request in. But we're in the process of going into
39 that, interviewing Healy Lake residents and trying to get them
40 into the resident zone also.

41

42 MR. GOOD: MR. Chairman.

43

44 CHAIRMAN MILLER: Go ahead, Nat.

45

46 MR. GOOD: What this actually would do then is add
47 these communities to the list that Tok is already on? Am I
48 understanding this correctly?

49

MS. YATES: Right.

0071

1 MR. GOOD: Right, okay.

2

3 MS. YATES: This will give Wrangell's 22 resident zones
4 instead of 18.

5

6 MR. GOOD: Right.

7

8 MS. YATES: Alternative B is the preferred alternative
9 both with the villages and with the Park if you want to go
10 through that.

11

12 CHAIRMAN MILLER: Where's Alternative B?

13

14 MR. MATHEWS: Mr. Chairman, maybe at this point, what's
15 running through my head is I don't think there's -- oh, yes,
16 there is one more agency report from Park Service, which would
17 be Yukon-Charlie, I think, if they want to. But at the end of
18 that, I think, if there's no other agency reports, I think we
19 need to talk allowed how better -- how to improve overall on
20 agency reports, not picking on the reports that are here but I
21 sense maybe when we get into different plans and et cetera,
22 that maybe we ought to work out some kind of teleconferencing
23 or things.

24

25 But anyways, there'll be Park Service, but I think
26 before we close on agency reports, we should have an open
27 discussion how to maximize these reports.

28

29 MR. ULVI: Yeah, thank you, Mr. Chairman. Steve Ulvi
30 with Yukon-Charlie Rivers National Preserve. I work out of
31 Fairbanks. And I appreciate the opportunity to be here in
32 Minto and the hospitality. I'll make this quick.

33

34 I'll make a few brief comments that might be of some
35 use to you. First I definitely agree with Craig Fleener that
36 the way Vince is conducting these new member trainings is
37 working well. I hope it's working well for the new members but
38 it's definitely working well for us to meet these people in a
39 small informal setting, be able to just chat and talk about
40 things and clarify some issues and answer some questions. It's
41 working very well.

42

43 This past summer we, along with a large partnership of
44 Native and State and Federal agencies conducted Earthquest IV,
45 which some of us have talked to you about before. But it's an
46 opportunity for rural students, mostly in Northern Alaska to
47 come together with resource agencies and learn with hands-on
48 experience. And there was a very successful Earthquest IV this
49 summer. It was held in August, later in the year than it has

50 in the past and there were a smaller number of students, about

0072

1 11, some of who may have come from some of your communities and
2 it was a very big success. So hopefully we'll continue to see
3 some of these kids who have come through this continue to show
4 interest in working for agencies or Native groups in the realm
5 of wildlife management or resource management, because we do
6 have a few students from some of the earlier Earthquests who
7 are working for us and other agencies now and going on to
8 school. So there's some reason to think that there's some
9 effectiveness to this program, and we feel very good about it.

10
11 The third thing is we don't have any significant
12 changes in staff or management activities at Yukon-Charlie that
13 would probably be relevant to subsistence issues to bring up
14 before you. The one thing I have mentioned before and I'll
15 mention again is that we're entering into three years beginning
16 now of wilderness management planning. And for Yukon-Charlie,
17 what that means is the Charlie River basin was proposed as
18 wilderness way back when and of course all of that has to be
19 acted on by the President and Congress to actually become
20 designated wilderness and that's not happening. But the Park
21 Service policy is that we manage that proposed wilderness as
22 though it were wilderness until that action takes place. So we
23 need to go through a simplified planning process and we'll be
24 doing so and we'll be running those draft plans as they are
25 produced by this Regional Council during those comment periods.

26
27 Wildlife projects of interest, I talked to you -- John
28 Bertrim and I talked to you in Tanacross about a year ago,
29 November, a moose survey that was conducted on the Yukon River
30 between Eagle and Circle and the results of that bull/cow ratio
31 of estimated population, et cetera. And we are again
32 conducting moose survey next month, it will be even a more
33 limited area but right along the Yukon Corridor there, between
34 Eagle and Circle. Primarily, again, just trying to maintain a
35 bit of a handle on that very low density moose population that
36 is there.

37
38 And the other part of that equation is that we are
39 continuing to monitor fall harvest by local and non-local
40 hunters, check licenses and try to understand what the trend is
41 in effort and success. We can't really report on that until
42 later in the winter because we won't receive harvests reports
43 for another year from the State. But I think we can get a good
44 idea of how it all came down.

45
46 We're continuing a dall sheep population movements
47 study where we've got about 17 collars on dall sheep to the
48 south of the Yukon River there and the Yukon Tanana Uplands. I
49 think we're going into the third year with that. And those

50 sheep -- very few sheep are harvested over there in either

0073

1 subsistence or non-subsistence activities, but we're continuing
2 to monitor that population.

3
4 The wolf pack monitoring project continues because as
5 you know, the Fortymile Caribou Herd Cooperative planning is so
6 far very successful in the increase of the Fortymile Caribou
7 Herd and part of that is relocation and monitoring and
8 sterilization of wolves outside of the Preserve. So in
9 conjunction with the State and other agencies, the Park Service
10 continues to harvest and monitor the wolf packs within the
11 Preserves so there is a separation of which animals are which
12 and where the treatments can be applied.

13
14 We wanted to add one more thing, too, both at Gates of
15 the Arctic, some of you heard about this incident on the Kobuk
16 River this fall, but in Gates of the Arctic as well as on the
17 Yukon we're about three years into trying to pay more attention
18 in the fall, talk to hunters both local and non-local. And
19 when we get the chance to check licenses and talk to non-locals
20 we're particularly trying to help educate them as to how to
21 take care of meat during warm weather and sort of remind them
22 of the ethical responsibilities that they have. And of course,
23 also talk about land status, that there are private allotments
24 around or whatever. Just so that we can kind of reduce some of
25 the conflicts that are starting to crop up. So I think we do
26 need to take a proactive stance on that and we're trying to do
27 so.

28
29 And the last item is proposals. We only have a couple
30 days here to try to get with the Eagle Advisory Council and
31 there's a new Central Advisory Council formed last year for the
32 first time. So they're kind of bracketing the Preserve there
33 and we'll be working with them, too. But we're going to try to
34 get back with them and visit a little about these moose season
35 changes that occurred in this last regulatory year, both on the
36 State side and the Federal side. And you might remember that
37 the Eagle Advisory Committee came forward with a proposal to
38 also have a c&t determination made for moose along the river
39 there between Eagle and Circle. Right now there is no c&t
40 determination. They withdrew that and they're revisiting that
41 now. So we'll be working with them to see if they want to get
42 a proposal in or somehow address that issue again. And also to
43 see how these new seasons -- especially the early portion in
44 August, how they're working for locals, and how they feel about
45 that.

46
47 So we hope to do that. Right now we don't suggest any
48 change in the current regulations.

49

That's all I have.

0074

1 MR. FLEENER: Mr. Chair.

2
3 CHAIRMAN MILLER: Go ahead Craig.

4
5 MR. FLEENER: You mentioned consideration of -- or not
6 consideration but you mentioned the wilderness planning. If
7 you manage it for wilderness, what big changes would there be
8 from Park to wilderness for users of the Park?

9
10 MR. ULVI: Yeah, Mr. Chairman, Craig, there would be
11 very few changes in the sense that most of the restrictions
12 with the wilderness -- because ANILCA allows for certain kinds
13 of access, subsistence -- customary and traditional subsistence
14 activities, it's a recreational used area. And all of those
15 things are allowances and provisions within ANILCA. What it
16 really does is -- for the most part, it restricts the agencies
17 activities in that area, i.e., using helicopters for wildlife
18 surveys when we may be able to do it in a less intrusive way
19 and still get the job done. We're forced to go through a
20 decision kind of process to look at those kinds of things. And
21 also agency construction of recreational or public use cabins,
22 those kinds of things might be limited. But beyond that, it's
23 really some things that are pretty subtle and will be explained
24 in this process to be reviewed by yourself and any other
25 interested groups.

26
27 MR. FLEENER: So if you were interested in doing a
28 capture project with moose in the future, to check something
29 similar, that Yukon Flats is doing, it would be difficult for
30 you to use a helicopter for capturing calves?

31
32 MR. ULVI: No. Mr. Chairman, Craig, it would just be
33 that we would make sure that any project requiring what
34 otherwise would be prohibited in wilderness areas, that we take
35 a look at that to see whether it's the -- what's called the
36 minimum tool or an appropriate use of technology. And often
37 times if the science is appropriate, it's something that needs
38 to be studied, then that technology is the most appropriate way
39 to do that, then no, it's not prohibited, it's just we'd be
40 forced to take a look at it and have a record that we looked at
41 that, we looked at some alternative ways to do it on the
42 ground, by boat, you know, whatever. And that we -- after
43 careful consideration, we decided that that was the appropriate
44 technology.

45
46 MR. FLEENER: And so what benefits are there to Park
47 managers and users of the Park for wilderness designation?

48
49 MR. ULVI: I would have to say that most of the

50 benefits are pretty subtle, but they are constraints upon,

0075

1 again, the agency, what the agency can do with those lands.
2 And there are, of course, certain constraints on what others
3 can do with that land. But it's really not very different from
4 the way it is right now. And we are treating it as it is
5 proposed wilderness, as I say, but under our regulations and
6 policies we have to treat it as though it's wilderness, and
7 that's easy to understand so that there isn't a degradation of
8 those values before Congress can act on it. And that's similar
9 for most agencies. But I would -- what I will be sure we do is
10 when those issues arise during the planning process and we have
11 some documents, I'll make sure that we get those to you and
12 that we share them with this group and try to point out some of
13 those subtle differences so that you can see what it might or
14 might not mean.

15
16 MR. FLEENER: And when was this proposed, you said a
17 long time ago?

18
19 MR. ULVI: Yeah, getting on 1988 I believe, and they
20 haven't been acted on.

21
22 MR. FLEENER: And was it proposed by somebody in the
23 state?

24
25 MR. ULVI: Well, there's a section in ANILCA, 1317, I
26 believe it is, that says within five years after the passage of
27 ANILCA, the agencies with public lands in Alaska will review
28 and analyze the lands that were not designated as wilderness as
29 part of ANILCA to see whether they're suitable for inclusion.
30 And so it took a few years more than that, but the agencies did
31 that, Fish and Wildlife Service, Park Service, BLM, and those
32 recommendations then were passed on to Department of Interior
33 and the next step is that they have to be acted and pushed from
34 the Secretary of the Interior to the President and then to
35 Congress for action. And as you can imagine under recent
36 administration congressional make up hasn't been done, so
37 they're sitting.

38
39 MR. FLEENER: Yeah. Okay, thanks.

40
41 CHAIRMAN MILLER: I guess that's it. No more
42 questions. I guess we're on to other agencies.

43
44 MR. MATHEWS: I know I overlooked them but I don't want
45 you to overlook them.

46
47 MR. HAYNES: Thank you, Mr. Chairman. Again, Terry
48 Haynes with the Subsistence Division, Department of Fish and
49 Game. Also here is Tim Viavant with the Sport Fish Division

50 from Fairbanks. And for some reason our wildlife biologists

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1 haven't shown up. I don't know if the weather's not permitting
2 them to fly out or if they've had other delays or if they're
3 coming later or not coming at all. I probably won't be able to
4 answer all questions you might have for them, but in the event
5 they don't show up and you do have questions that we can't
6 answer, I'll take them back to Fairbanks and we'll get word
7 back out to you.

8
9 I want to mention just a few things briefly. One is
10 that the Fortymile Caribou Management Team is working on a
11 harvest assessment plan. If Craig Gardner does come, he will
12 talk to you a bit about that. But just in brief, the Fortymile
13 Caribou Team will be meeting on November 20th in Tok to begin
14 developing a harvest management plan that will go before the
15 Board of Game in the spring of 2000. So there is going to be
16 time between now and then for this plan to get developed and
17 for it to be reviewed by this Council and others who have an
18 interest in that caribou management process.

19
20 Just to follow-up on one thing Steve Ulvi mentioned
21 about EarthQuest for the summer camp, the Department has been
22 involved in that process since its inception. And one of the
23 high points of the camp this summer was a visit that the
24 Earthquest students made over to the Department of Fish and
25 Game office and we had a very good time with Craig Fleener.
26 Craig spent a fair amount of time talking to the students and
27 giving them some idea of -- giving them a good hands-on look of
28 a Native person who's becoming a biologist and could be a role
29 model for them. So we appreciated Craig taking the time to
30 meet and spend time with those students.

31
32 The Board of Game last spring acted on a proposal
33 submitted by the Yukon Flats Fish and Game Advisory Committee
34 to establish a community harvest quota system or moose and
35 caribou in Unit 25. They acted by requesting that the
36 Department work with the committee to come up with some type of
37 a plan. And in the subsequent months, Department staff have
38 met internally -- oh, wonderful, I see that Craig Gardner is
39 now here so when he has a chance to talk he can perhaps give
40 you more details about Fortymile management issues. In any
41 event, the wildlife conservation and subsistence division staff
42 have met internally several times in recent months. We've had
43 discussions with Department of Law. We've made several visits
44 up to the Yukon Flats to talk with local people there about
45 developing some type of proposal to take back to the Board of
46 Game. And staff met with the Yukon Flats Advisory Committee at
47 its regularly scheduled meeting in Chalkyitsik a few weeks ago.
48 And coming out of that meeting there's a plan to try to develop
49 some type of a community harvest quota proposal for

50 Chalkyitsik. We want to develop something for a single

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1 community that might serve as a good model for having a
2 community harvest quota system in place. We can work the bugs
3 out of it and hopefully it could be applied elsewhere in the
4 Yukon Flats and maybe elsewhere in the state.

5
6 There's another project that will effect some of the
7 communities covered by the Regional Council. There's -- as
8 many of you know, United States Air Force has military
9 operations areas that overlie lands in the interior of Alaska
10 ranging from Fairbanks on up to the Yukon Flats, east of the
11 Canadian border. And there have been a number of research
12 projects funded by the Air Force that are linked to looking at
13 what effects, if any, these military training flights are
14 having on wildlife resources, human activities in the -- and
15 other wildlife species in the area.

16
17 One project that I've been involved with involves
18 looking at human use impacts. Looking at how have these
19 military training flights effected hunting, fishing,
20 recreational activities and other human uses in the area. We
21 just finished a Phase I project that was pulling together
22 background information about human uses of the area. Just
23 recently funding was provided for a Phase II of this project
24 which will involve doing much more active field work, talking
25 to people, collecting information from users. One part of this
26 project that I probably will be involved in this winter is in
27 holding some meetings with people in several communities,
28 possibly Healy Lake, possibly Delta Junction, Dot Lake, Tok,
29 Eagle and Central, just talk about -- get people together,
30 either people selected by local residents or meeting with the
31 fish and game advisory committee members to just determine
32 whether or not there have been effects of military overflights
33 on people and their activities in these communities. And based
34 on doing sort of a scoping meeting like this, there may be
35 follow-up work done next year sometime by other people involved
36 in this project. So just a heads up that I'll probably be
37 seeing some of you later this winter.

38
39 With that, I'm going to stop. If you have questions
40 I'll try to answer them, otherwise I'll pass the baton to Tim
41 and to Craig.

42
43 MR. GOOD: Mr. Chairman.

44
45 CHAIRMAN MILLER: Go ahead, Nat.

46
47 MR. GOOD: I have one. And I don't know if you can
48 answer it or not, but Luke Titus was just here talking to us
49 and addressing the fact that he couldn't get -- I don't know

50 what the Tier II hunt was that he was addressing that -- he

0078

1 indicated it was locally, but would you have any idea why?
2 First, do you know what local -- perhaps you should.....

3

4 MR. P. TITUS: Yeah, Tier II. I was denied myself, so
5 ain't nothing done to me, I just go out and hunt anyway.

6

7 MR. HAYNES: Mr. Chairman, there's -- as you know, an
8 application process to get a Tier II permit. People are
9 scored, they receive a certain number of points based on the
10 responses they give. And in the end the people with the
11 highest scores get the permits.

12

13 MR. P. TITUS: I never got one for years. I've been
14 denied, whatever, I applied all right, but I just never got one
15 because I'm not computer friendly, I guess.

16

17 MR. HAYNES: Well, without knowing -- without seeing
18 your application, I don't know what the reason is for the score
19 you may have gotten. It is a problem, in some cases people who
20 don't fill it out properly or completely and in some cases the
21 questions aren't worded very well. In some cases you get a
22 high score but there are more people above you that -- more
23 people scored higher and there are a limited number of permits.
24 So it's a system where we just have to follow-up and see what
25 your score was and whether there was something -- you didn't
26 fill out the application right and that effected your score.
27 If that's the case we could -- ideally we'd be in a situation
28 to sit down and help people fill out their applications. We
29 haven't had the funding to do that in recent years.

30

31 MR. P. TITUS: Well, when they first gave out permits,
32 they just came out to the village and hand them out which was a
33 lot simpler. A lot easier for the local residents like myself.
34 But now we've got mail them in and -- the form is printed first
35 and you have to apply and you don't find out until sometime in
36 July whether you can hunt or not. You could hunt but.....

37

38 MR. HAYNES: Mr. Chairman, the first year the Tier II
39 permit system was back in place, staff from my division and
40 wildlife conservation division visited the villages. Took the
41 permit applications out, helped people fill them out and that
42 made a tremendous difference. But in recent years we've lost
43 so much of our funding that we don't have the ability to
44 provide that assistance anymore and we're frustrated -- in
45 fact, we don't have many staff to do that anymore, either so
46 we've really been limited in the kind of assistance that we can
47 continue to provide.

48

49 MR. FLEENER: So would a letter coming from this

50 Council requesting that staff or finances be provided to help

0079

1 community members fill that out be of any real effect? Vince,
2 what do you say?

3

4 MR. MATHEWS: For what now, sorry? I've been trying to
5 coordinate with the Fortymile -- how we're going to handle the
6 Fortymile discussion.

7

8 MR. FLEENER: He was just talking about the problems
9 with the Tier II and the fact that they don't have any money,
10 they don't have staff to come out and help people fill out Tier
11 II permits.

12

13 MR. MATHEWS: And you're wondering if this program
14 would have any way of working under that?

15

16 MR. FLEENER: And I said, could we send a letter to
17 somebody saying, please help? Would it matter?

18

19 MR. MATHEWS: Your avenue -- yes, you could send a
20 letter to whoever you wanted. But if your letter is directed
21 to the Federal program they're going to say that's total a
22 State program, it's in.....

23

24 MR. FLEENER: Of course.

25

26 MR. MATHEWS:not in compliance. You could
27 request -- it'd probably have to go to Commissioner Rue on that
28 to reallocate funds or find funds to do that. Yes, you could
29 do that. And I think the discussion was to have outreach
30 efforts in Minto to get permits available? Because I know
31 within the department itself, my understanding is is that
32 there's support to do -- there's support to do it, people want
33 to do that, but there's no funding; is that correct?

34

35 MR. FLEENER: What is an outreach effort? What does
36 that mean?

37

38 MR. MATHEWS: Outreach effort is basically that someone
39 be here -- Philip if he's here -- I don't think he is. There's
40 been a lot of cultural sensitivity around this issue of Tier II
41 permits on the flats and that's what's kind of kicking around
42 here and I'll stop there. But by having staff here to fill
43 them out versus doing it some other way bridges those
44 sensitivities. And again, I'm going on my past history, I
45 think it was quite successful -- successful meaning
46 understanding the permitting process and how to deal with it
47 when staff was present here.

48

49 And I believe Ida wants to be recognized.

0080

1 MS. HILDEBRAND: Ida Hildebrand, Staff Committee
2 member, Federal Subsistence Board. I just wanted to inform
3 this Council that other Regional Councils have raised similar
4 problems and issues regarding Tier II permits with the State.
5 And their solution has been to work with their respective non-
6 profit regional corporations to assist in learning about
7 filling out and completing the applications and putting in more
8 applications and they work with the State in how to assist the
9 people who's getting a better understanding and better grading
10 that they receive more permits. And they were quite successful
11 in their effort.

12
13 CHAIRMAN MILLER: So in other words, call Gabe when we
14 have trouble.

15
16 MR. FLEENER: No, I think we need to send a letter to
17 Commissioner Rue and say we need some help. I think that would
18 -- it shouldn't be a problem, should it?

19
20 CHAIRMAN MILLER: We can send a letter.

21
22 MR. MATHEWS: It would not be a problem to do that. I
23 apologize for not being in tune at the beginning of this
24 conversation. There's no problem doing that.

25
26 MR. FLEENER: If part of the problem is not enough
27 money and part of the problem is not enough staff, I mean our
28 request isn't going to amount to whole lot but it's certainly
29 us representing an awful lot of people saying we need help
30 filling these Tier II permits out, please help. After all we
31 are State residents. So I'd make a motion to that effect, that
32 we send a letter to the Commissioner.

33
34 MR. HAYNES: Mr. Chairman.....

35
36 MR. FLEENER: If that's the appropriate person to send
37 it to.

38
39 MR. HAYNES: I think if you did want to send something
40 send it to Commissioner Rue, definitely. You know, and what
41 would happen that would come down to our division and our
42 director will weigh that against other priorities. And if
43 there's a way to spend more time doing this, you know, she
44 would make that request of us.

45
46 I think it is important to note that the way things
47 have been looking in recent years, there's probably going to
48 end up being more Tier II hunts as time goes on. Certainly if
49 there is, eventually Federal Fisheries Management, you may

50 expect Tier II fisheries too. And you know, that is not

0081

1 something any of us are going to like but if that becomes
2 reality, that even makes things much more complicated for rural
3 residents. And so I think that support function the Department
4 used to provide to people, if there's a way to do that, whether
5 it's us doing it or it's us working with regional Native
6 organizations or groups to get the information out so that
7 people can fill out the applications, we'd like to figure out a
8 way to do that.

9
10 MR. FLEENER: Well, I need a second on that motion.

11
12 MR. NICHOLIA: I'll second it.

13
14 MR. GOOD: Mr. Chairman, I'd still like to make a
15 comment. It's not directly pertaining to the motion but it's
16 basically asking if it would be possible for Terry to get some
17 information for us prior before our next meeting regarding
18 subsistence. A couple of years ago I attempted to contact the
19 people who were handling the Tier II permits and I volunteered
20 myself to be trained, you know, come in and find out how to
21 handle Tier II permits so I could come back to my community and
22 help people fill them out. And basically they said, no, we
23 really don't want to do that. And I wonder if it could be --
24 you could check with your department and see if it might be
25 possible for volunteers to be trained.

26
27 One of the problems you run into here, I do know of at
28 least one instance of somebody else trying to help someone fill
29 out a permit and when they made a mistake they wound up in
30 court and you don't want that to happen. you want people who
31 are going to be trained by the department who will not make
32 mistakes because mistakes can land you in court in this
33 particular area. It's maybe not quite as easy as it sounds.

34
35 MR. HAYNES: Mr. Chairman, I'll follow-up on that.

36
37 CHAIRMAN MILLER: Okay, there's a motion on the floor
38 right now. Do we have a second?

39
40 MR. NICHOLIA: Yes.

41
42 CHAIRMAN MILLER: So it's been seconded.

43
44 MR. GOOD: That's the letter?

45
46 CHAIRMAN MILLER: Yeah.

47
48 MR. GOOD: Question.

49

CHAIRMAN MILLER: Question's been called. All in favor

0082

1 signify by saying aye.

2

3 IN UNISON: Aye.

4

5 CHAIRMAN MILLER: Opposed same sign.

6

7 (No opposing votes)

8

9 MR. HAYNES: Okay, Mr. Chairman, I will pass the mic to
10 Tim Viavant and Craig Gardner to give their reports. Thank
11 you.

12

13 CHAIRMAN MILLER: Thank you.

14

15 MR. P. TITUS: I have one more question, Terry. If I
16 don't get my permit do I ask you?

17

18 MR. HAYNES: I'll help you as best I can, Philip at the
19 break.

20

21 MR. P. TITUS: Okay.

22

23 MR. VIAVANT: Mr. Chairman, my name is Tim Vivant. And
24 I'm the acting Fairbanks area manager for Sport Fish Division.
25 John Burr was unable to attend this meeting due to a conflict
26 with another meeting having to do with subsistence also. And I
27 don't have any specific report prepared. I'm happy to answer
28 whatever questions I can.

29

30 I would like to perhaps follow-up on something that
31 Vince was talking about which is that, I would recommend to the
32 Council that if the Council wishes information on specific
33 items from agencies, that they channel through Vince requests
34 with some kind of lead time. Because for me coming to this
35 meeting, I really didn't know what you're interested in and
36 specific areas and especially with fisheries still being up in
37 the air and this latest extension of the newest and improved
38 moratorium. So you know, it's difficult for me to come
39 prepared for anything. And it's also just difficult to know
40 what you would like to hear about in general terms. But you
41 know, I would be more than happy to prepare some kind of
42 presentation or report if I had some guidelines or, you know,
43 just direction on what the Council would like to hear about.
44 So in the future I would just encourage you, for all the
45 agencies, Federal and State, you know, if there's something
46 that's a pressing concern get with Vince and he'd be happy to
47 forward that request to us and then we can show up more
48 prepared with whatever specific information you're interested
49 in.

0083

1 MR. FLEENER: Mr. Chair.

2
3 CHAIRMAN MILLER: Craig.

4
5 MR. FLEENER: I was just going to say, generally we do
6 do that. We try to do things pretty -- well, at least some
7 things in as much advance as possible. And as you've heard as
8 time has gone on, people have made reports on things that we
9 have requested. But probably since you're standing in just
10 haven't been in that group.

11
12 One of the things that John has been reporting to us on
13 is an ongoing thing is the Dall River issue that's been of
14 concern to former Council members and the Village of Stevens
15 Village, of course. And I think he's reported on several other
16 things, some studies that they've been doing. But I think the
17 most and pressing concern has been the issue of the Dall River.
18 And I don't know if you know much of that or if you are
19 prepared to give an update on anything there.

20
21 MR. VIAVANT: I'm familiar with what has been done in
22 the past. We haven't done any further stock assessment on the
23 Dall River. We have continued to just watch the state wide
24 harvest survey. And we just got '97 data and unfortunately I
25 only got the Tanana drainage data. So I don't have with me,
26 you know, harvest estimates for that area. I'd be happy to,
27 you know, get that stuff and forward it to you when I get back
28 to town or I can forward a request to John Burr.

29
30 MR. FLEENER: One other question is the Stevens Village
31 Natural Resource Department has been getting larger and larger.
32 And they've been getting more interested in doing diverse types
33 of resource management projects. And I think that they had
34 something planned for the Dall River this summer. I haven't
35 been in contact with anyone, have you been working with, you or
36 the Department, have been working with them on those issues?

37
38 MR. VIAVANT: Not that I know of. Not on an actual,
39 you know, abundance estimation or any kind of other harvest or
40 effort estimation. But the one thing that I just got, a real
41 brief conversation with my new regional supervisor, had to do
42 with Stevens Village wishing to perhaps develop a -- some kind
43 of camping area on the river and then having a desire to
44 perhaps work with the Department. Which is something we are
45 very happy to discuss and explore with them.

46
47 MR. FLEENER: Yeah, I know that the Stevens Village
48 Council is interested in possibly working out some sort of a
49 lease agreement, I think, for some camping sites so that people

50 would hopefully be situated on those camping sites and not

0084

1 camping all over the place.

2

3 MR. VIAVANT: And off of their land.

4

5 MR. FLEENER: Well, no, the camping sites would be on
6 their land if they're going to be leasing them.

7

8 MR. VIAVANT: Designated.

9

10 MR. FLEENER: Right. Have designated.....

11

12 MR. VIAVANT: And that's something, you know, we would
13 really like to actively work on. And it's something that we're
14 -- we put in a request for FY'99 for an expanded, essentially
15 information and educational program and we did not get funding
16 for it. But we're putting it in again for 2000. And a great
17 part of that request has to do with attempting to inform the
18 general public as to where they can and cannot fish and camp
19 and land status.

20

21 MR. FLEENER: So basically the lease agreement isn't
22 any further than just having talked about it?

23

24 MR. VIAVANT: I just heard about it about 10 days ago.
25 And I haven't contacted anyone. Although I did get a -- I got
26 a second hand piece of information about, we're also in the
27 process of working with BLM and DOT to improve a new boat
28 launch and the Yukon River, at the Dalton Crossing. And I will
29 be contacting Dewey Schwalenberg about Stevens Village concerns
30 and interest in that development. Those are the only things
31 that I, you know, I did hear about their desire for some kind
32 of lease agreement. And we have angler access funds available
33 to develop access, and it's the kind of thing we would be able
34 to work with Stevens Village.

35

36 MR. FLEENER: Thank you.

37

38 MR. P. TITUS: I got a question.

39

40 CHAIRMAN MILLER: Philip.

41

42 MR. P. TITUS: Last December I went to Board of
43 Fisheries meeting in Fairbanks and a bunch of people went out
44 to fish last fall, out ice fishing and the fish was not there.
45 It's a wintering ground and can the State do anything about
46 finding out what happened to the fish?

47

48 MR. VIAVANT: We did not do a stock assessment at Minto
49 Flats this summer which is primarily due to budgeting concerns.

50 And our region, getting the entire Upper Copper -- Upper

0085

1 Susitna drainage without a lot of funding to go along with it.
2 The 1997 abundance estimate was in the same range as the
3 historical abundance estimate, it's about 16,500 fish over 400
4 millimeters.

5
6 MR. P. TITUS: Last year they went out there and they
7 didn't catch no fish. They were sitting on the ice 12 hours a
8 day, they didn't catch no fish. Out of 16,000 one should have
9 bite.

10
11 MR. VIAVANT: You know, the only response I have to
12 that, I guess, is that we did telemetry studies on northern
13 pike for three years in Minto Flats and this.....

14
15 MR. P. TITUS: But you don't know what happened to the
16 fish?

17
18 MR. VIAVANT: I don't know what.....

19
20 MR. P. TITUS: This is historic ground. They got
21 Native allotment right there. They know it's fishing grounds,
22 that's why they got Native allotments there. And they've been
23 fishing there for years and last year they didn't catch no
24 fish.

25
26 MR. VIAVANT: Well, like I said, the only comment I
27 could make about that is that what the telemetry studies that
28 were done on Minto pike in the past showed was that there was a
29 high degree of variability about where the fish overwintered
30 and what time they went there, depending on water level and on
31 oxygen O2 levels. And so during '9 -- what year was it, '93,
32 virtually all the fish that were radio tagged, at least,
33 overwintered above the Murphy Dome landing in the Chatenega
34 Mainstream. The following year there was marked difference
35 with virtually all the fish overwintering out, downstream,
36 below the cache areas or you know, around the cache area.

37
38 MR. P. TITUS: This is a known historic fact that they
39 winter there, what's why they got the Native allotment, and
40 you're saying -- what you're studying is contradictory to what
41 these Natives know. But these Natives right because they live
42 off of it. They don't have to worry about your scientific
43 facts proving that they're there because they live off it
44 before there were scientific studies.

45
46 MR. VIAVANT: Well, like I say, I mean we did not do a
47 stock assessment so first of all we don't have an abundance
48 estimate. As to where they overwinter or why there were no
49 fish there I really have no idea. You know, we continue to

50 monitor harvest and effort through the sport harvest and effort

0086

1 through the state wide harvest survey. And we just got '97
2 data and effort and catches -- effort was maybe 10 percent
3 higher than '96, harvest was about 10 percent lower of fish
4 over 300 millimeters. And essentially all this information is
5 for fish over 300 millimeters. And catches were probably 10
6 percent higher.

7
8 But that's the only information that we have at this
9 time on Minto pike.

10
11 CHAIRMAN MILLER: Anymore questions? Okay, thank you.
12 It's all yours.

13
14 MR. GARDNER: Well, there's basically two things here
15 that we have to make short and sweet here. Chuck asked for a
16 Fortymile Herd update so I wanted to mainly hit what I think
17 would be the more interesting parts. Basically the wolf work
18 and then kind of the herd trend. Both will be really fast.
19 And the last thing we need to hit is what happened this year in
20 the harvest and what we have planned to basically ask the Game
21 Board to do. And then the last thing is this harvest plan that
22 -- you just handed it out Vince?

23
24 MR. MATHEWS: I'm doing it.

25
26 MR. GARDNER: Again, for the update. As you know we
27 started kind of this wolf control work, try to enhance the
28 herd. We did, you.....

29
30 MR. FLEENER: Time's up now.

31
32 MR. GARDNER: Any questions?

33
34 MR. GOOD: No questions.

35
36 MR. GARDNER: Cool.

37
38 (Off record comments regarding lunch)

39
40 MR. GARDNER: We started the wolf work last fall, and
41 you know, with that we've relocated actually 31 wolves out of
42 seven packs. And we went ahead and we sterilized the parent
43 wolves in five packs. There was actually quite a bit of
44 concern, I think, prior to doing that, you know, what kind of
45 impacts we'd actually have. And so far, actually the data is
46 actually really optimistic. We'll start with the wolves we
47 moved. You know, one of the major concerns of relocated wolves
48 was what kind of impact would you have on the areas that you
49 dropped them off on? Well, it turns out there isn't any.

0087

1 We dropped anywhere from three to actually eight wolves
2 at any site and we followed almost all those wolves and there's
3 not one wolf living within 60 miles of the relocation site.
4 Basically they leave. They just go. And the thing about it is
5 they don't leave together. I mean basically they just go off
6 on their own. And the only wolf that's even within 60 miles is
7 a wolf that actually joined a pack that was already there, it
8 was a pack of nine and this wolf joined it and all the rest of
9 the wolves moved over a hundred miles. So basically the site
10 that these wolves are dropped at, there's just no impact on the
11 local caribou and moose populations.

12
13 The other, I think, kind of concern about moving wolves
14 was, you know, we moved them a hundred miles to 120 miles was
15 -- is that far enough? Well, for adult wolves we found out
16 it's not. Actually four of them came back. It took them five
17 months to do it but four of them did come back and went right
18 back to their range. So we're now looking for places further
19 -- we're hoping 200 miles plus that we can move them to.

20
21 Maybe you guys got the letter from Gabe asking you to
22 take some.

23
24 Kind of the next concern, I think, people have with
25 relocated wolves is we're just killing them. Basically that it
26 was a put and take, that we dropped wolves off in an area that
27 other wolves would just eat them right away. Well, it turned
28 out we didn't lose any wolves to other wolves. In fact, the
29 only mortality or death these wolves faced was by trappers.
30 Basically trappers took all but one, I think, of the deaths --
31 no, we did, one wolf got killed by another wolf. So basically
32 mortality wasn't excessive on these guys, you know. So
33 basically the relocation part kind of worked.

34
35 You know we did sterilize, I said, the parent wolves of
36 five packs. And there was concerns with that, too. One, would
37 the surgery kill the wolves? Well, it didn't. Actually all
38 the wolves were released the next day after the surgery. All
39 of them went back to their territory. All of them are still
40 alive today and running in the same territory. That was the
41 other concern. Would these pairs, you know, now with
42 relocation and with trappers, you know, we've reduced these
43 packs down to two. The big concern was, now, if you got a pack
44 of two would it be taken over by these adjacent larger packs.
45 Well, they're still all there. They actually all still have
46 their territories. And we've radio collared the adjacent packs
47 and they haven't taken them over. And so so far these pair are
48 holding their territory.

49

And the last one, would the survey work? You know,

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1 these are done in the field and would these wolves actually be
2 sterilized. And well, it turned out all five pairs didn't have
3 pups and yet, the packs around them did. So you know, it looks
4 like everything of those part worked.

5
6 And the net result, this is the real optimistic part,
7 is that we worked seven packs, basically on the eastern and
8 southern portion of the calving grounds and we actually went in
9 there and we found 63, 64 wolves when we started last fall and
10 we reduced it down to 10 and that's with trapping and
11 relocation and fertility control. Well, there's still only --
12 well, with some of the wolves returning now there's like 13 or
13 14 wolves in that area now, so we reduced that wolf pack by
14 over 80 percent, you know. So the technique does seem to work,
15 you know, in making a fairly significant reduction of wolves.

16
17 So now this year we're actually going to start working
18 back up the southern and western portion and try to finish that
19 up this fall and we should have basically the whole calving
20 ground outside of Yukon-Charlie Preserve pretty much reduced.

21
22 Philip.

23
24 MR. P. TITUS: They do less hunting for not having no
25 pups, do you see it?

26
27 MR. GARDNER: They do. Yeah, the actually -- again,
28 you guys probably knew this from watching them. You know, we
29 had to watch captive wolves, but basically there is a -- they
30 looked at basically the nutrition demands of wolves that had
31 pups versus pairs that did not have pups and yeah, it's a
32 marked difference. You know, basically to feed these pups and
33 to keep the female healthy it -- they're 40/50, 60 percent
34 greater nutritional needs in the pack. So yeah, you actually
35 reduce the kill rate. I can't tell you by how many but it does
36 reduce the kill rate.

37
38 Okay, what the net result is on this herd is -- and I'm
39 not saying that it's all due to this wolf control, but the herd
40 grew by two years ago, four percent, last year by six percent
41 and this year it grew -- no, 10 percent and this year by 20
42 percent. We're now sitting at 31,000 caribou in the Fortymile
43 Herd. And I just finished the composition counts, we got 38
44 calves per 100. That herd is increasing quite rapidly. And
45 now, if you think about it all these younger caribou are going
46 to start being -- coming into breeding age. You know, the first
47 big calf crux is going to come next year, so hopefully we're
48 going to see a bigger increase, you know, starting next year.

49

MR. FLEENER: What was the calf survival a few years

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1 ago?

2

3 MR. GARDNER: Before we started it was between 16 --
4 one year it was 30, but mainly 16 to 23/24. So last year it
5 was 42, this year 38. Pretty good difference.

6

7 Okay, now, on the harvest side there was -- if you talk
8 to people in Eagle and Tok and Chicken and Northway and maybe
9 Dot Lake, they were quite unhappy with how the harvest went
10 this year. I could put this on this machine over here or I can
11 just hold it up, I'll just hold it up. But basically, you
12 know, this takes in 20(E) and 25(C), you know, the herd kind of
13 moves across. That's where the primary hunt is. Now, usually
14 the herd in the late fall is around the Taylor Highway in the
15 eastern portion of the range. Now, what happened this year is
16 somewhat due to a low quota and also somewhat to do with I
17 didn't think ahead. The herd has been using the western
18 portion, closer to the Steese Highway now for the last three or
19 four years and they've been summering there and early fall.
20 Well, when you think about it, this herd's growing and what
21 we're starting to see is that it's -- you know, the wings or
22 the edges of the herd is just getting further and further out.
23 And what happened this year is that 25 percent of the herd was
24 accessible to people coming off the Steese Highway. And they
25 basically shot the quota and I had to shut the hunt down, oh,
26 way early. I shut them all down in early -- well, in late
27 August when the hunt should go to the 30th of September. And
28 what that meant is that nobody on the eastern portion of the
29 range had a chance to hunt caribou. I mean basically I think
30 eight of them were shot out of 20(E) and all eight of them were
31 shot by people that flew in. Basically caught them as they
32 were coming into the unit.

33

34 There's solutions to this. And I went back and I
35 looked at all the basically historic and traditional harvest
36 and participation rates in these two units and it looks like
37 that Circle and Central residents are like residents on the
38 Taylor Highway. They don't travel to the other two highways if
39 the herd happens to be there. But we can see that about 30 to
40 40 Circle/Central residents, basically traditionally hunt the
41 herd off the Steese and then there's quite a few more off on
42 the Taylor from Dot Lake all the way up to Eagle and Delta.
43 Now, Fairbanks residents and around there are more the swing.
44 You know, they'll go up the Steese or they'll go up the Taylor.
45 You know, they'll just go where the herd goes.

46

47 And so looking at this harvest, we could meet pretty
48 much the traditional uses of Central and Circle residents by
49 actually having a quota for 25(C) and having a quota for 20(E).

50 And what that of course would mean is that if the herd stays

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1 way in that western end early, you know, those people will have
2 a hunt. You know, let's say we put a quota of 30 which is kind
3 of the traditional harvest, that would be the maximum, we'd put
4 that over there, they'd take those 30, then the herd's already
5 been doing, it's been moving to the east and they would then be
6 available on the eastern side and we could add the remainder of
7 the quota for people that traditionally hunt off the Taylor.

8
9 MR. FLEENER: The only way you could make that really
10 work is if you had the permits issued in Circle and Central
11 only and not have Fairbanks.

12
13 MR. GARDNER: Actually that's exactly how they're done.
14 They're only issued out of Circle.

15
16 MR. FLEENER: Well, I thought they were issued out of
17 Fairbanks also?

18
19 MR. GARDNER: That's a different hunt for a quota of
20 15. It's further south. But actually that hunt that people
21 come up the Steese, they're only issued out of Circle. That's
22 the blue -- there's two permits, a red one and a blue one.

23
24 MR. FLEENER: The purple and the blue one?

25
26 MR. GARDNER: Right.

27
28 MR. FLEENER: Yeah, okay.

29
30 MR. GARDNER: So they would only be issued out of
31 Circle. So that would basically kind of ensure a harvest
32 distribution across the whole herd range and people could all
33 get an equal shot at them.

34
35 And I'm going to the Game Board, that's one reason why
36 I'm a little bit pushed for time. I got to get back to Tok
37 tonight and down to Ketchikan because that's what I'm going to
38 suggest to the Game Board. Because they actually have to make
39 that decision, that's an allocation issue.

40
41 CHAIRMAN MILLER: Any questions?

42
43 MR. GARDNER: You guys are being pretty easy on me.
44 Okay, the last thing I guess Vince just handed it out. This is
45 actually the good news of life, I think. Is that this reduced
46 harvest quota that, you know, we've been facing now for three
47 years is going to be allowed to come off in basically fall of
48 2001. Now, the herd is growing, you know, rapidly. Hopefully
49 it will continue, keep growing and if it does we know that we

50 can open up harvest at a much higher rate or level than we did

0091

1 even, you know, way prior to the reduced harvest.

2

3 And what the Fortymile Team is doing, Nat's a member
4 and Pete DeMatteo's a member also, but there's quite a few
5 members here, Chuck used to be a member. Basically what we're
6 trying to do now is get all the users of the herd, basically,
7 and to start putting in ideas how this harvest should be
8 structured. Okay, there's like no preconceived notions.
9 There's nothing been decided. And what the Team is just going
10 to do is get hopefully a lot of people's ideas, you know, to
11 these different issues, send them in. And I think it would be
12 great if the Eastern Interior Council could put, you know, if
13 you guys could come up with, you know, a consensus type idea or
14 if you just want to give, you know, the power to Nat or
15 whatever to speak for you, you know, to actually submit your
16 ideas. You know, kind of coming from the Federal subsistence
17 side.

18

19 What I've done already is sent this out to all the
20 different villages within the range. I've sent it to the
21 advisory committees. You guys have it. I sent it to other
22 people that hunt the herd that aren't part of any of the
23 groups. And we're starting to pull in ideas now. And we're
24 going to have a meeting on November 20th, a Team meeting. And
25 all these ideas that we receive by then, you know, the Team's
26 going to try to take them all and kind of make a big matrix out
27 of it basically, you know, all the different ideas. And then
28 possibly come up with a preferred option, maybe not, and then
29 send it all back out again. So everybody will have -- I mean
30 we have, actually a year and a half to do this, this is not a
31 big burning issue quite yet. But we do have to have it in by
32 November of '99 -- or December of '99 basically. And so it'd
33 be really -- you guys just got it, it'd be something to read
34 through it and then if you have any questions either call me or
35 just write it right to the Team or go through Chuck and you
36 know, any questions I can hopefully easily answer. But if not,
37 the ideas can come to the Team and then it will come back to
38 you guys.

39

40 CHAIRMAN MILLER: Go ahead, Nat.

41

42 MR. GOOD: Well, I think probably the most
43 controversial area, really, is going to be category five and I
44 think I've expressed some of my concerns along that way. Page
45 7. I think that when this does come out, I think our Council's
46 going to look at it very carefully.

47

48 What the Team is, it consists of a lot of people who
49 are non-hunters and it's representative of everybody. And

50 while, you know, generally speaking, most of the areas prior to

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1 this can be fairly acceptable. If you start reading through,
2 on Page 7, there are some things that you can get concerned
3 about here. And I think we want to watch very carefully. You
4 know, when you say emergency, close the entire hunt when a
5 percentage of the herd within a set number of miles of the
6 road; that type of thing, you know, we would be trusting to
7 your judgment, of course, and I think we can trust you, you
8 know, but then you, of course, will not be allowed to transfer
9 anywhere. You understand that. But jokes aside, we have to be
10 concerned about anytime that people are saying that they're --
11 let's see, the high -- they're worried about high road side
12 harvest, that type of thing, you know. We do have situations
13 where a lot of people have to use vehicles to get an area.
14 They are not able to get -- you know, when you're saying
15 several miles off of the road. If it's going to be several
16 miles off of the road and you're in the vicinity of Mt.
17 Fairplay, that's not going to be an easy hunt for anybody even
18 though the caribou are there.

19

20 MR. GARDNER: Uh-huh.

21

22 MR. GOOD: And I don't want any of the people on the
23 committee to be looking at this as a means to begin restricting
24 hunting. Prior to the actual establishment of this Team to
25 increase the number of the herd, we had a hunting season. We
26 had rules. We had regulations. And now we increase the number
27 that are in the herd but now we're going to increase the rules,
28 the regulations and the restrictions. You know, I don't want
29 to see that hunters have given up the 450 animals a year. Have
30 the herd recover and now have them facing so many more
31 restrictions. At the same time I don't want them to have --
32 you know, we have to have something in here to protect when the
33 herd is crossing the road perhaps, but we've got to be very
34 careful about this. And I think that the Council wants to
35 watch this particular aspect pretty closely here.

36

37 MR. GARDNER: Than you, Nat. That's really true. And
38 one thing about this whole kind of worksheet that I've kind of
39 prepared, these are just ideas I've received to-date. I mean a
40 couple of them were by Team members. Actually I tried to
41 capsule one we received from Nat. And so basically this is
42 -- like I said, it's not complete, I mean not complete at all.
43 And I think you're hitting on a good point. There's a lot of
44 these different categories that -- and I actually think it's
45 even more than just this methods and means that are going to be
46 -- that the subsistence users are going to be quite interested
47 in. You know, even allocation is -- I mean you guys just had a
48 discussion on. Really when you talk Tier II hunts you're
49 talking allocation. So I think there's a couple real

50 categories that -- the Team would appreciate the input.

0093

1 CHAIRMAN MILLER: Anymore questions. Go ahead, Vince.

2

3 MR. MATHEWS: Mr. Chairman, I think on this issue I
4 think -- and again, I would talk to Craig in private but I
5 think he's going to be flying out real quick. In the future we
6 need to make sure that this is also copied to our office
7 because.....

8

9 MR. GARDNER: Right.

10

11 MR. MATHEWS:I only received this, via Chuck,
12 only a couple of days before the meeting so that kind of
13 stumbles things.

14

15 The other thing is is I think the Council needs to hear
16 your request that either you take a Council action on this or
17 let Nat, who's your representative on this report back to you
18 in the future. So I think Nat has to give you an assessment to
19 take action on this document in front of you now or later. And
20 I know we're under time constraint, but it's a year away, by my
21 assessment, December '99. So you only meet two times before
22 December '99 after this meeting.

23

24 MR. FLEENER: Mr. Chair, I think it would be a good
25 idea to have Nat represent us but I sure would like to see some
26 sort of a little work group get together so we could talk it
27 over and work with Nat and maybe we could get a committee of
28 the Council of three members that could teleconference. Nat is
29 more up on this than the rest of us and he could make our
30 suggestions. I don't know, do I need to make that in a form of
31 a motion or can the Chair just say you are now on the
32 committee.

33

34 CHAIRMAN MILLER: It's done.

35

36 MR. GARDNER: And I guess I would like to request, I
37 don't know if it's out of line here or not but in your spring
38 meeting to make it an actual working item that we could take --
39 you know, then we would actually have a -- hopefully a
40 preferred option of -- I mean we'd actually narrow down all
41 these ideas. Then, you know, through either the working group
42 that Craig suggested and I would be here and we could actually
43 work through each of the steps and maybe talk about benefits
44 and concerns and actually really work it out. And then come up
45 with a much stronger.....

46

47 MR. MATHEWS: Maybe I misunderstood then. I thought
48 maybe the group that's meeting on November 20th was going to
49 finalize these options.

0094

1 MR. GARDNER: No.

2

3 MR. MATHEWS: They're not, okay. Well, then the only
4 thing would be -- again, I haven't consulted with the other
5 Team here, we don't know what proposal -- number of proposals
6 you're going to have before you. I'm not saying this would add
7 on a full day to your meeting but it would add time to it. But
8 I think you've been dealing with it since day one. But just be
9 aware it may add on a couple hours to your spring meeting under
10 the assumption we get the normal level of proposals that we've
11 had in the past.

12

13 MR. FLEENER: It's probably a pretty important enough
14 issue.

15

16 MR. MATHEWS: Okay.

17

18 MR. FLEENER: They've got a committee that's been
19 working on it for years and years and years. It's probably
20 important enough to receive one hour or so of our time. So I
21 would think that it would be valuable to include it.

22

23 MR. MATHEWS: And did the issue die on a subcommittee,
24 I'm not sure on that? The subcommittee would meet prior to the
25 spring meeting so you guys would be possibly more up to speed
26 so we don't -- you still have to go over the preliminaries but
27 you don't have to start at ground zero at the spring meeting.
28 Subcommittees can be -- I would have to -- I would probably
29 encourage you for it to be a teleconference.

30

31 MR. FLEENER: I would too. And I think it would be
32 good if Craig would be willing to teleconference in and our
33 subcommittee could meet with Craig in case we had questions.

34

35 MR. GOOD: You know, there's something else here, too.
36 Mr. Chairman.

37

38 CHAIRMAN MILLER: Go ahead, Nat.,

39

40 MR. GOOD: You know, something else we might consider,
41 too, is that the next meeting will be in Tok. And I don't know
42 who all's interested in participating in this but they could
43 certainly go to the meeting itself.

44

45 MR. GARDNER: It'd be nice even if there was a
46 preliminary -- we could meet together or if you want me to be
47 part of it, to actually submit -- again, it'd be really draft
48 to the Team, but just kind of a general feeling of how the
49 subcommittee's thinking. Because then it would be put into

50 this big matrix. So you know, then the Regional Council would

0095

1 be represented. Your ideas would at least have a start.

2

3 MR. FLEENER: And what's the date you're talking about?

4

5 MR. GARDNER: November 20th.

6

7 MR. MATHEWS: So maybe I missed something. Is a
8 subcommittee going to be formed? No.

9

10 MR. GOOD: It doesn't have to be formal.

11

12 CHAIRMAN MILLER: We'll just report back to the next
13 meeting.

14

15 MR. GOOD: We should probably check with Lee because
16 he's in the area down there, too.

17

18 MR. FLEENER: So you're saying you don't think it
19 should be a formal subcommittee?

20

21 MR. GOOD: It doesn't have to be formal.

22

23 MR. FLEENER: I think we should either appoint or take
24 some volunteers. Because this is an important issue, we're
25 going to need to make a report back to the Council. I would
26 support it being more official than just three or four guys
27 that happen to call up but it's up to the Chair, I guess.

28

29 CHAIRMAN MILLER: I don't know, what's the rest of the
30 Board feel?

31

32 MR. GOOD: We could call it a committee of the whole, I
33 don't know.

34

35 MR. FLEENER: A committee of half.

36

37 MR. GOOD: Or a committee of the half, I don't know.

38

39 MR. NICHOLIA: See I wouldn't want to commit myself
40 because I've got a lot of other commitments.

41

42 MR. GOOD: You know, you guys figure out,
43 geographically speaking, Craig is interested in it. He would.
44 I would. And Lee is right down there in that same area. Why
45 don't you just appoint the four of us and then we'll have a
46 committee.

47

48 MR. FLEENER: Sounds good.

49

CHAIRMAN MILLER: So be it.

0096

1 MR. FLEENER: Let's go to lunch.

2

3 MR. MATHEWS: So all three of you are planning on
4 attending the November 20th meeting?

5

6 MR. GOOD: Possibly.

7

8 MR. FLEENER: I don't know about that but at least
9 we're starting out with teleconferencing.

10

11 MR. MATHEWS: Before the 20th?

12

13 MR. FLEENER: Pardon?

14

15 MR. MATHEWS: We have some fiscal concerns so.....

16

17 MR. FLEENER: We'll talk about this after lunch.

18

19 MR. P. TITUS: Call for a lunch recess.

20

21 CHAIRMAN MILLER: Recess for lunch.

22

23 (Off record)

24 (On record)

25

26 CHAIRMAN MILLER: Let's go.

27

28 MR. KNAUER: Okay. I'm going to go through the
29 fisheries rather briefly. Following the court decision there
30 were a series of Congressional moratoriums that prevented the
31 implementation of final regulations. That went until December
32 1 of this year, '98, coming up. As you know the proposed rule
33 was published then on December 17th of '97. We held a series
34 of 31 public hearings around the state. Those also coincided
35 with 10 Regional Council meetings. And then this past summer,
36 the State, on two different occasions held special sessions to
37 try and get an amendment put on the November ballot. They
38 failed.

39

40 And so I'll jump back now, within the proposed rule, we
41 delineated jurisdiction. There was a difference between
42 Department of Interior and Department of Ag waters. We
43 acknowledged the Secretary's authority to extend jurisdiction.
44 There were regulations relating to customary and trade. And in
45 general, we proposed the adoption of the State subsistence
46 regulations for Subpart C and D.

47

48 During the hearings we received 74 written responses.
49 Those responses included about 243 individual comments in them.

50 The major issues related to the adequacy of our NEPA

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1 documentation, those comments that the an EA was inadequate
2 that it would require an EIS. That the Federal program should
3 or should not include various waters. That there's no
4 authority for a secretary to extend jurisdiction. That the
5 customary and traditional use determinations that we were using
6 did not take into account State changes that have occurred
7 since 1990. And that the Federal regulations should be very
8 consistent with existing State regulations wherever possible.

9
10 The Eastern Interior Regional Council in October of '96
11 felt that this Council was well represented under the current
12 structure, however, that there may need to be some cooperation
13 among Councils along the Yukon River. And that you support the
14 provision for customary trade and desire that there, at
15 present, not be a dollar limit set on it. In February of '98
16 in Tanacross you indicated that you felt that the two fish
17 wheel basket regulation that's in the Copper River area should
18 not apply or carry over to Tanana, Yukon, Copper or Kuskokwim
19 Rivers. That rural residents that hold commercial fishing
20 licenses should be able to continue their customary trade
21 activities. And that in the c&t process, it should be region
22 wide using eight factors as a starting point. I'll come back
23 to that in just a moment.

24
25 Our current thinking on the final rule which we're in
26 the process of preparing right now, we're on about the third
27 iteration of it. The definition of inland waters has been
28 revised so that there is consistency between Department of
29 Interior and Department of Agriculture lands. It would
30 essentially be all waters within or adjacent to the boundaries
31 of the CSUs or the forests.

32
33 MR. FLEENER: The what?
34

35 MR. KNAUER: Conservation System Units, CSUs. The
36 current version also includes a specific listing of all of
37 those marine waters. There are a number of them. Most of them
38 are not really extensive in area, but they are more
39 specifically identified. The language relating to the
40 Secretarys extraterritorial authority is retained.

41
42 And we did modify the c&t determinations for fish to
43 include both the c&t determinations that were in effect in 1990
44 and also those that have been made by the Board of Fish since.
45 We've also included the c&t determinations that were proposed
46 by Bristol Bay Regional Advisory Council and Southeast Regional
47 Advisory Council.

48
49 We have continued to revise the regulations in Subpart

50 C and D so that they are consistent to the extent possible with

0098

1 the existing State subsistence fishery regulations. In fact,
2 we met with all of the State area biologists, the fishery
3 biologists either in person or by teleconference and went over,
4 line by line, Subparts C and D, to try and assure consistency
5 and also remove those unnecessary portions of the regulations
6 where there are no areas of Federal jurisdiction.

7
8 Also we've revised the final rule so it is more user
9 friendly. Making it more active voices as opposed to passive
10 voice and simplified the language.

11
12 As you're aware there is language in the Appropriations
13 Bill this year -- oh, before I go into that, let me go back and
14 address the comments that this Council made. We did not change
15 Council structure as you recommended. We'll wait and see what
16 happens. And if the Councils or the situation warrants change
17 in the future we can make that change. The Board is still
18 deliberating on how they're going to address customary trade.
19 One issue -- or one way they're possibly thinking right now is
20 coming out during this interim period that we're going to have
21 here and ask each Regional Council to put possibly a dollar
22 limit on it. They may set a particular limit, I don't know,
23 maybe 1,000, 2,000, \$3,000. And if that's not appropriate for
24 the region then let the Council make a recommendation either up
25 or down. The two fish wheel basket regulation, the group
26 working on the regulations believe that that is something that
27 should be submitted as a proposal so it receives full analysis
28 and review and public scrutiny when the Board first accepts
29 proposals. Rural residents holding commercial fishing licenses
30 should be able to continue customary trade activities. We
31 believe we have got the regulation reworded to allow that. And
32 the c&t process, as you're aware, that there is a c&t committee
33 working right now that George will brief you on later. So that
34 will be held in abeyance.

35
36 The current Appropriations Bill, I understand was to be
37 debated either yesterday or today did contain additional
38 language for a phased in government implementation, Federal
39 implementation. It would allow the publication of the final
40 rule, which we are proceeding right now, anticipating
41 Secretarial signature sometime approximately early December,
42 roughly the 1st of December and publication of the final rule
43 about January 8th, give or take. It would not -- the language
44 for the phased in moratorium would have that final rule become
45 effective September 30th of next year. And there is additional
46 language in that Appropriations Bill that would allow money to
47 go to the State if they had language in -- or bills passed that
48 provided for State resumption. If not, there is money attached
49 to provide for the Federal implementation.

0099

1 And currently also we are conducting talks with the
2 State to develop a cooperative management strategy. As you're
3 all aware openings and closings for fisheries sometimes require
4 very, very short notice. Some of the openings may be of only
5 hours in duration as fish pass or to assure that runs are not
6 depleted. So we're trying to work with the State to determine
7 what is the best mechanism to allow a coordination of effort in
8 that regard.

9
10 So that's where we are right now. Like I said we do
11 anticipate signature about the beginning of December and
12 publication of the final rule about the beginning of January
13 and then becoming effective September 30 of 1999.

14
15 Are there any questions?

16
17 MR. FLEENER: You said there was a dollar amount that
18 would be allocated for this, what is that dollar amount?

19
20 MR. KNAUER: I think if the State has not taken certain
21 actions it provides on, I think, June 1, a million dollars for
22 implementation planning. And then if the State has not taken
23 further action, an additional 10 million overall on September
24 30 for implementation. I think of that eight is to go to
25 Interior.

26
27 CHAIRMAN MILLER: Anymore questions? Thank you.

28
29 MR. FLEENER: You're free to go.

30
31 MR. MATHEWS: The next item we could go through fairly
32 quickly. Your policy that you guys adopted a couple of
33 meetings ago is that I would send out copies of everything that
34 comes in immediately -- when it comes in, mail it out to you
35 right away and not wait to the meeting. So if you just turn to
36 Tab F, since that was -- well, I just need to verify that with
37 the first letter that you see there which is from Oscar Frank,
38 who's here, I think, I'm not sure -- yeah, Oscar's here. They
39 were asking to consider a resolution at its October meeting to
40 deal with the Yukon/Tanana subregion resolution 98-04 on pike
41 fisheries. So I just wanted to flag to you that they are kind
42 of asking for action. You don't have to take action but I'm
43 not sure if I sent this to you guys so I want to verify that
44 that's there.

45
46 The other letters are there. If it has a stamp on it
47 that says received and then in that received box it says mailed
48 on such and such a date, then I've mailed it to you. So I
49 really don't know how to proceed on each one of these. I

50 suppose just take them one by one.

0100

1 MR. FLEENER: Let us just read them.

2

3 MR. MATHEWS: Okay, that might be better to look them
4 over and then see if you want to discuss them and then we'll go
5 that way.

6

7 (Pause)

8

9 CHAIRMAN MILLER: Go ahead, Craig.

10

11 MR. FLEENER: Vince, this letter dated March 2nd from
12 BLM, I think it's the third or fourth letter in the packet
13 here. Where it's in reference to a letter we sent them asking
14 to be more involved in -- or to be notified of actions that
15 they'd taken in the region and they really didn't respond in
16 the letter. I don't know if we should send another letter to
17 them or -- because it just says that, in your letter you
18 requested when BLM activities might effect subsistence uses,
19 all the effective communities be notified. BLM has a policy of
20 public participation. We try to involve interested parties and
21 I've passed it on to your staff. I guess that's an answer but
22 it doesn't seem to be -- especially when we're talking about
23 the Nome Creek project, which was specifically mentioned in the
24 letter. It wasn't responded to at all in their response. And
25 so I'm wondering if we really got a response or if we were just
26 giving a low key sort of a response.

27

28 MR. MATHEWS: Well, my understanding the issue was Nome
29 Creek and it was a planning process. The planning process is
30 now in the implementation phase and maybe BLM can share more on
31 that. So in actuality, the Bureau of Land Management replied
32 acknowledging the letter and that they do try to involve all
33 interested parties. And then they addressed Nome Creek by
34 saying the records show the Flats community were contacted.
35 Past Council members disagreed that the communities were not
36 contacted. But the Nome Creek planning process is in the
37 implementation phase. It's not in the development phase.

38

39 But I don't know, the letter -- yeah. That's -- I
40 understand what you're saying but they've agreed that they'd
41 involve all interested parties. It doesn't say specifically
42 that they will come back to this Council, you are correct.
43 They do not say that they will run this by the Council. They
44 just say that they try to involve all interested parties.

45

46 MR. FLEENER: Yes.

47

48 MR. HERRIGES: Mr. Chairman, I can't shed any real
49 great light on this other than to say that, yes, the Nome Creek

50 Road is constructed. There are campgrounds developed. So

0101

1 essentially the action has taken place. So if the -- I mean if
2 this response was not satisfactory and you want something more
3 than this, I suggest that you might want to write another
4 letter or I can take something back with me if you'd like.
5

6 MR. FLEENER: I wouldn't think that it would be
7 necessary for a project that's already complete, for us to keep
8 complaining about it. But the thrust of what I'm saying is
9 just to -- if there is going to be something, that people on
10 the other side of the hills -- that's going to impact the
11 people on the other side of the hills, that there should be
12 more contact probably. And at least to the satisfaction of the
13 communities that could be impacted.
14

15 MR. HERRIGES: Yeah, I agree. And I think part of the
16 problem in this situation just had to do with the planning --
17 purely planning process taking place in earlier years. And
18 then the project kind of sat on the shelf until funding was
19 available and then was implemented. And it would probably be
20 wise when a situation like that occurs to go back with some
21 sort of -- at least, announcements, to let people know what's
22 going on.
23

24 MR. FLEENER: Thanks. That's all I have on the
25 letters.
26

27 CHAIRMAN MILLER: Is there anymore comment on the
28 letters? Okay.
29

30 MR. MATHEWS: That would move us up to.....
31

32 CHAIRMAN MILLER: Annual reports.
33

34 MR. MATHEWS: No, correspondence sent out and we've
35 already covered that and you've gotten copies in the mail
36 unless there's questions on it. They were dealing with the
37 water fowl. And we implemented a new thing, without consulting
38 the whole Council, I talked to the Chair and it's been well
39 received by the agencies, is that we sent out letters to the
40 agencies we wanted information from and specifically asked for
41 information and they've well received that.
42

43 So then that does bring us up to annual reports. Do
44 you want me to go ahead with that?
45

46 CHAIRMAN MILLER: Yeah, if you can get through it
47 quick.
48

49 MR. MATHEWS: Yeah, I can. Annual report is in front

50 of you under Tab H. And basically we'll kill two birds with

0102

1 one stone because the response capsulates what you wanted and
2 then the Board, what they did.

3
4 Okay, in your letter -- I mean in your annual report
5 you requested clear, definitive responses to the annual report.
6 The Board acknowledges that request. And the Board will
7 accordingly respond with more direct language noting, however,
8 that responses must be within the authority of the Board.

9
10 The next thing you asked for we already talked about.
11 But so the record reflects it, you requested a predator/prey
12 study for Yukon Flats, National Wildlife Refuge and funding has
13 been provided so I won't go more into detail because it was
14 covered during the presentation by Mark Bertrim.

15
16 The next item was requested Board endorsement of your
17 co-management concept. And the Board endorses this proactive
18 approach to resource management and encourages cooperative
19 efforts as a positive and beneficial component of the Federal
20 subsistence regulatory process. They go on to say we support
21 property management efforts as outlined in your cooperative
22 management concept. We encourage other Federal agencies and
23 other parties to work closely with you and other residents of
24 your regions to develop these agreements. That is something
25 that you now have in your tool box. That when I think when we
26 get into other issues you're going to want to look at applying
27 that tool. And so I won't go into detail, but you do have the
28 concept there and we'll just have to remember when we get into
29 issues to explore that.

30
31 The remaining two have to do with c&t determinations.
32 I think to save time on that, we'll just defer any discussion
33 on that. Because basically it's just saying it's going to the
34 task force. George is going to be talking about that whole
35 issue of reviewing c&t.

36
37 So the final item was all the Councils requested a
38 compensation for regional members. That was rejected by the
39 Secretary of Interior. And he rejected it in order to maintain
40 a program based on the spirit of volunteerism with citizen
41 representation instead of paid staff with a new set of
42 loyalties and obligations.

43
44 Those are the topics you submitted. Those are the
45 Board's responses. I suppose we should open it up to any
46 discussions on those. And then the next thing would be the
47 need and topics for 1998 annual report.

48
49 CHAIRMAN MILLER: Go ahead, Craig.

0103

1 MR. FLEENER: I just want to point out number 5,
2 Regional Councils supporting compensation for Regional Council
3 members. I still think that's an important issue. I can
4 understand why the Secretary would say no if he's looking at
5 the spirit of volunteerism from the Lower 48 point of view
6 because they've got roads going everywhere and they can drive
7 to the next town over and have a meeting and be back home that
8 night or they can drive to the next town and it not cost very
9 much. When we're talking about us meeting, it's not just the
10 two days of the meeting or the one day of the meeting, it's
11 usually a day before and a day after for travel also. And for
12 any person that has a job or attending school like myself, you
13 know, we lose out on a lot of things. And we lose out on the
14 opportunity to make a living. And yes, it's worth the trade-
15 off, I'm here. Granted I'm here late but I'm here at my
16 meetings. So I've been willing to make that sacrifice. But I
17 still think it's worth considering. It's not a reward for what
18 we're doing. It's not that we want it so we can be a paid
19 employee of the Federal government, it's to make up for some of
20 the lost time or for the work that we do put into this thing.
21 You know, it's all up in the air, I guess, as to whether or not
22 you think people deserve it. But I just wanted to let everyone
23 know that I still support this idea, that's all.

24
25 CHAIRMAN MILLER: Any other comments?

26
27 MR. MATHEWS: Okay, then that brings us up to the next
28 one and I'll just give my little soapbox real quick. Because
29 of the uncertainty throughout the whole program this past
30 summer, where we're going, what we're taking on, will we go
31 forward, I have no topics that I can see from my view of your
32 actions for an annual report 1998. It doesn't mean there
33 aren't any, but I don't know of any because we were all
34 anticipating fisheries or anticipating unified management. So
35 the question before you now is are there topics that you feel
36 should be in the 1998 annual report.

37
38 My understanding from others is that the annual report
39 is not a requirement, but as I talked to you many times
40 earlier, I feel the annual report is a very valuable tool. But
41 right now I don't know of any reason to apply that tool. I'm
42 turning to you to see -- usually, you know, I would have four
43 or five things that I think you should put in the annual
44 report, I don't have any.

45
46 CHAIRMAN MILLER: Go ahead, Ida.

47
48 MS. HILDEBRAND: Ida Hildebrand, Staff Committee
49 member, BIA. I just wanted to inform you in response to

50 Craig's statement, but I wanted to wait for the Council to

0104

1 finish their discussion, regarding compensation. Other
2 Councils have requested that that request be resubmitted and
3 yet others have also placed it in their annual report.

4
5 MR. MATHEWS: This is the benefit of having Staff
6 Committee people here, et cetera, because they bring in
7 knowledge from all the other regions that I'm not always aware
8 of or other Staff are aware of. So you could resubmit or
9 whatever. And I want to thank Ida for doing that, bring that
10 up because I didn't know of those actions.

11
12 MR. FLEENER: Mr. Chair, maybe we could not address the
13 '98 report until the end of the meeting. And that way during a
14 break, if we have a break between now and the end we can get
15 together and talk about it because I've got a few things that
16 I'm interested in bringing up but I'd like to talk to the other
17 Council members and I don't want to have to involve everybody
18 in the discussion. If that would be okay? I don't know if I
19 have to say we table the motion or table the whatever it is --
20 I don't know what the appropriate.....

21
22 MR. MATHEWS: That's fair. I mean the way we've done it
23 in the past is you bring up the idea and you pass it and we
24 wordsmith it and it's back before you at your next meeting so
25 it's not completely unknown what's happening in your annual
26 report.

27
28 MR. FLEENER: Later on today, just after a break, I
29 think that might be good if it's okay with the rest of the
30 Council.

31
32 MR. MATHEWS: With all heads nodding, I'm just going to
33 kind of assert myself here and keep this moving. The next
34 topic I don't want you to go through real quick, because it is
35 a complex topic that you've dealt with since your first meeting
36 in '93, fall of '93, and that would be a review of the c&t
37 process as it stands now on the working group report. So with
38 that I'll turn it over to George, but that's under Tab I. And
39 as I said early in the meeting, I will constantly, if need be,
40 go back to the central questions so it's clear on the record
41 what you're indicating. I'll turn this over to George now.

42
43 MR. SHERROD: Well, as we've talked about earlier, this
44 is a topic that came up during the Joint Chairs meetings.
45 There is a working group that has been established to try to
46 deal with this process. Under Tab I is a brief report
47 outlining some of the ideas that have developed during the
48 course of different Councils talking about these things.

49

The important thing to hear -- for you guys to do today

0105

1 is to provide us with suggestions. These should not be
2 considered your only options. What is critical right now is to
3 get your insight and your suggestions regarding c&t. There are
4 two primary questions. The first question is, why make c&t
5 determinations? Is there a need to do so? Are they an
6 important component of this program? Once that question is
7 answered then the next question is how should we do them?
8 Should we continue to do them along the lines of the eight
9 factors that we've used? A modified version of that? Or one
10 of the suggestions that shows up here, one of the potential
11 options is the unit and adjoining subunits. And this was a
12 project of this Council's deliberations and input.

13
14 So you guys have talked about this at great lengths in
15 other meetings so I'm not going to say much more. But as I
16 say, you don't have to take action as a formal group. You can
17 if you want. Some Councils have. What we'd like to do is just
18 get your thoughts down so that these thoughts can be collected.
19 In November sometime we're going to be meeting, convening this
20 group again and hopefully by the spring there'll be a more
21 refined document to bring before you.

22
23 MR. FLEENER: Mr. Chair.

24
25 CHAIRMAN MILLER: Go ahead, Craig.

26
27 MR. FLEENER: I'd like to comment that I still --
28 without having fully looked this over, but I still support the
29 idea of doing it on a broad basis, such as, the Game Management
30 Unit and adjacent subunits, for the reason of inclusion. And
31 some of the concerns that have been brought up are that -- or
32 at least one of the concerns is that you'll be including too
33 much land for people to use. And my personal opinion on that
34 is that I don't really see that as too big of a problem, giving
35 someone a little bit more land than is necessary, especially if
36 the resources can handle it.

37
38 If you think about it, if somebody's given a
39 determination for an animal that's too far away, three, 400
40 miles, he's probably not going to go hunting. You know, it's
41 just common sense would tell you the guy's going to try to hunt
42 in his back yard. So what the adjacent subunits does is it
43 gives the communities on the border that little buffer zone so
44 they're not only given a little sliver here and they're left
45 out of this giant chunk of land because it's not in that --
46 they're not in that unit. So I'm still supportive of that.

47
48 And with some recent discussions I've had with people
49 that have talked about the idea of including all animals and we

50 -- this Council has also talked about that, I support that

0106

1 idea. I think that if you're going to use one resource you
2 probably -- if you consider the tradition of it, you probably
3 would have used any resource that you needed at the time or
4 that was available or that you could get. And so to include
5 all the animals or all resources in general, I think would be a
6 smart thing to do.

7

8 Thank you.

9

10 CHAIRMAN MILLER: Anymore comments?

11

12 MR. GOOD: Mr. Chair.

13

14 CHAIRMAN MILLER: Go ahead, Nat.

15

16 MR. GOOD: I get confused by this. Every time I read
17 this I see a different meaning here. And I'm looking under why
18 make c&t determinations. If you read that, customary and
19 traditional use is one of the characteristics, et cetera, and
20 then it says, although not specifically required by ANILCA, the
21 Federal program adopted regulations that require the Board to
22 determine which fish and wildlife populations have been
23 customarily and traditionally taken for subsistence and where
24 the use occurs. You know, if you read it this way, then we
25 need to identify the fish and wildlife populations. But that's
26 not what we're doing. We're identifying the fish and wildlife
27 users, we're not identifying populations here. So one of these
28 is at odds with the other.

29

30 I'm not sure, are we identifying users or are we
31 identifying subsistence fish and game populations? You know,
32 animals?

33

34 MR. SHERROD: Well, in theory, we're identifying both
35 or at least that's how the process has been applied in the
36 past. It would be residents of Delta Junction's use of
37 caribou, either in all of Unit 12 or a portion of Unit 12 or so
38 on. So there has been this link of identifying resources used
39 and users. Now, in some cases we've come up with, like black
40 bear, and through the regulations we adopted from the State --
41 or brown bear, not black bear, excuse me, the State had made
42 the determination that this was not a subsistence species. It
43 didn't matter, you know, in Unit Z it didn't matter what the
44 human population was, this resource was not used for
45 subsistence uses. So it's a little bit of both.

46

47 Again, the question that's before you is; do you feel
48 it's necessary to do this, to implement this program? And then
49 again, if so, what is the best way to go at it? And I would

50 ask Craig one question, when we talked about units and

0107

1 subunits, do you see that as a starting point that might have
2 to be adjusted or an ending point?

3

4 MR. FLEENER: Well, certainly not an ending point.
5 There's some communities, I'm sure -- well, I know for a fact
6 that there are some communities that harvest way away from
7 where they live. Ft. Yukon being an example. Although the
8 Upper Porcupine is in Unit 25. People from Ft. Yukon, Beaver
9 go up there to shoot caribou and it's a long ways away, and
10 they go into Canada to shoot caribou. So it would certainly be
11 -- I don't even know if we'd call it a starting point. We
12 really haven't started anything, we're still in the infancy of
13 this thing. So I would say that we could be even broader. It
14 wouldn't hurt my feelings a bit.

15

16 You know, when we first started talking about this, I
17 had the idea of talking about the entire region but many people
18 persuaded me from that idea. So I can be persuaded.

19

20 MR. MATHEWS: Mr. Chairman, a fair summary of the
21 action you took earlier, last year, was that you were -- and it
22 wasn't unanimous and it wasn't, you know, cast in stone, but
23 basically you were going to use the unit and subunit as a jump
24 off point and then maybe explore region wide c&ts and then
25 explore, even the need for having c&ts at all. So it was in a
26 form of a motion somewhat. So that was your action. Because
27 of that a lot of this has precipitated. And now like George
28 has said and I'm repeating, the central question that is before
29 you is do c&t determinations protect subsistence uses? Or do
30 the determinations unnecessarily restrict? It's really the key
31 question. And you guys have started the whole process with
32 this unit and subunits.

33

34 MR. GOOD: Mr. Chairman.

35

36 CHAIRMAN MILLER: Go ahead, Nat.

37

38 MR. GOOD: Mr. Chairman, I think whether or not we need
39 c&t really depends on the second page here where we have the
40 little box on Section .804. The alternative is utilizing
41 Section .804. Now, if we have a problem with a subsistence
42 gain population and say we have to restrict the people that are
43 involved with it, is this really workable? Can we do this?
44 Would it be done on a community wide basis? Individual basis?
45 Is it possible to make Section .804 work?

46

47 MR. SHERROD: I think it's possible but I think it's
48 also important to clear up, .804 exists whether you have c&t or
49 not.

0108

1 MR. GOOD: Yes.

2
3 MR. SHERROD: .804 exists and we have, through
4 different means, actually implemented provisions of the .804
5 policy. 25(B) west would be an example where we have created a
6 limited hunt, basically accommodating residents of three local
7 villages and allowing them to have access to the resource while
8 not allowing other individuals who we know travel great
9 distances and so on. So .804 exists whether we do c&t or not.
10 And in fact, it workable and it is in ANILCA. The provisions
11 are there. In the past, I'd say .804 is relied heavily on
12 input from Councils and their judgment on this. So yeah, I
13 think .804's workable. I mean some people might disagree but I
14 think it's workable.

15
16 MR. FLEENER: Mr. Chairman.

17
18 CHAIRMAN MILLER: Go ahead, Craig.

19
20 MR. FLEENER: I was just going to say that I personally
21 have a hard time thinking that we really have to have c&t. And
22 it's hard to say because there's so many people, you know, from
23 Ft. Yukon and the Ft. Yukon area. Everybody thinks we really
24 need c&t, but I think most people have a misunderstanding of
25 what it is. As I pointed out before, most people think that
26 it's them being recognized for their traditional uses of the
27 resources, and that's what they argue for when the present
28 those proposals. And you can't disagree that, yeah, these
29 people certainly have a use for this animal, and even if they
30 didn't they might need it in the future. And so when you
31 consider that if there's a State season in an area that you've
32 given a c&t determination, you really -- the only thing you're
33 doing is excluding the village down the road or down the river
34 from the Federal hunt. You're not excluding them from the
35 State hunt. And so really you -- I mean you do something that
36 doesn't serve a purpose if there's a State season there
37 already. And most of the areas there's State seasons where we
38 have these c&t determinations in a lot of places. And so I've
39 had a hard time myself thinking we really have to have c&t
40 especially when you consider that we have to go through .804
41 when we have a resource problem anyways if we have a c&t
42 determination or not.

43
44 That's all.

45
46 CHAIRMAN MILLER: Go ahead, Vince.

47
48 MR. MATHEWS: Mr. Chairman, I need to ask George a
49 question and I think Tom may want to answer, have we ever done

50 an .804? Have we ever implemented .804?

0109

1 MR. BOYD: Well, in my opinion we clearly have.

2

3 MR. MATHEWS: Okay.

4

5 MR. BOYD: I mean we have had situations of resource
6 shortages. Now, I think, again, it's in the eye of the
7 beholder to some extent. We have had some situations where
8 there are resource shortages and we have restricted the
9 population of users that could harvest those resources. So, I
10 mean whether we close Federal lands to non-subsistence users
11 which is part of .804 or we further restrict even the
12 subsistence user category, we've done that in several cases.
13 So I'd say we have applied the statute as it reads under
14 Section .804.

15

16 CHAIRMAN MILLER: Have you had any problems with that?

17

18 MR. BOYD: Have we had any problems making those
19 decisions, I would think not, no. I mean I'm thinking of
20 particularly the Mentasta caribou situation, where we -- we've
21 identified the communities that can harvest that resource. A
22 fairly limited resource and I can't remember what the level of
23 harvest are but it's fairly finite. And we're talking just a
24 few animals. Maybe the Park Service can add to this. But that
25 was a situation where we had input from the Regional Councils
26 as well as the SRC in that area. And we were able to refine
27 the community of users and restrict non-subsistence users
28 which, in my opinion, is an application of Section .804.

29

30 CHAIRMAN MILLER: Go ahead.

31

32 MR. RABINOWITCH: Sandy Rabinowitch, Park Service. On
33 the point of .804 there, there was clearly one proposal a
34 couple years ago, as Tom just said, Mentasta caribou. In the
35 situation -- I'll be brief, the situation actually was that the
36 hunt was closed and there was a proposal to reopen it which the
37 Park Service supported. And right at the very beginning of the
38 process, this time of year, in the fall, we basically said this
39 is an .804 hunt because the proposed opening was going to only
40 be for 15 to 20 animals. The resident zone communities of
41 Wrangell-St. Elias total 18, so you had a minimum of 18
42 communities who had eligibility on the books and you went in
43 saying 15 to 20 animals going to be allowed, so obviously
44 there's a shortage. My experience in working on that was that
45 it was a very time consuming process. It made c&t proposals
46 look easy. And a lot of people in the Park Service spent a lot
47 of time for six or seven months to work it through the process.
48 When it came down to the Regional Council, all the issues -- my
49 memory in reflection is that there were a whole bunch of issues

50 and they all got resolved pretty well in terms of consensus,

0110

1 except for a point of exactly how many animals. And I think
2 the debate ended up focusing on 15 to 20. So even the debate
3 strongly held views was only five animals apart after several
4 months of consideration. When it was all said and done, the
5 Board voted for it, reopened the hunt. And I don't know the
6 number of animals that were taken. Heather spoke earlier, she
7 might be able to speak to that. Since then the hunt's been
8 actually -- last year it was reclosed. And in an odd bit of
9 circumstances it was actually a consent agenda item last year.
10 Which I think was fairly miraculous that there was consent to
11 close a hunt. But the fact that everybody invested so much
12 time two years earlier on the .804 proposal, I think actually
13 paid kind of a funny but good dividend for everybody. Because
14 they really understood, you know, all that had gone on.

15
16 So my only caution -- I agree, I think with everything
17 that was said, my only caution would be that from the one
18 experience I have, is .804 proposals create an awful lot of
19 paperwork for everybody. And so they're -- I would be fearful
20 that if you had a lot of those, meetings are going to go long
21 and there'll be lots and lots of discussion. But that's just
22 my observation.

23
24 MR. FLEENER: Mr. Chair.

25
26 CHAIRMAN MILLER: Go ahead, Craig.

27
28 MR. FLEENER: The thing is .804's not going to be a
29 replacement for c&t determinations. .804 has to be done
30 anyways if we come to the point of restricting users. So it's
31 not like if we decide we don't want to do c&t, that it's going
32 to be replaced by .804. And I don't think that would be the
33 intention of any of the Regional Councils. Part of the problem
34 that we see is that c&t is too much work with not much
35 dividend. And so why would we want to have .804s replace that.
36 I don't think that's the intent.

37
38 That's all, thanks.

39
40 CHAIRMAN MILLER: Well, now that we're all thoroughly
41 confused, where are we at?

42
43 MR. MATHEWS: Well, I'm the one that started the
44 discussion so I'll expose my ignorance. But based on office
45 discussions I was always told we have never implemented an .804
46 and that's why I asked. And that's why I consulted literature
47 here that said we did and I had not been informed of that. But
48 what the reasoning and what was behind it is the same result,
49 but we never -- I don't remember it being called an .804 so

50 maybe it was. So the end result was the same. So that's why I

0111

1 asked to get it on the record and to stimulate discussion on
2 .804.

3
4 And the point I also want to bring up is the .804,
5 before that went into effect closed all other uses. If you do
6 c&t determination, other uses can continue. I mean that has to
7 be pointed out that it had to go to a closing of other uses.
8 The question that is hidden in this original question is who
9 carries a conservation burden when you do have a resource
10 shortage. And when you do -- the question is when you need to
11 determine who qualifies, when do you need to do that? When the
12 resources are low or ahead of the time when resources are not
13 low? The c&t process has you do it when the resources are
14 possibly not low. So the question is when do you want to
15 determine who is eligible?

16
17 MR. FLEENER: Or sensitive to the needs of the
18 communities and that if a community comes to us and says, our
19 caribou population is crashing and we need to do something
20 about it or our caribou population is declining -- and not only
21 do we have community members but we have -- you know, hundreds
22 of years of college educated people out here that every time we
23 meet make good presentations of how populations are doing. And
24 if there's any problem they're going to bring it to our
25 attention. So I don't think that we're going to go into this.
26 If we didn't do c&t determinations, I don't think we're going
27 to bump into a population that's almost at zero and somebody
28 say, gee we missed it. I just don't think it's going to
29 happen. So I think even if we decided not to do c&ts anymore,
30 that we have enough expertise and we have enough involvement
31 from the communities, that we would be given that information
32 as time went on.

33
34 CHAIRMAN MILLER: Go ahead, Connie.

35
36 MS. FRIEND: Mr. Chairman, I attended the Southcentral
37 Regional Advisory Council meeting in Anchorage last week. And
38 the feeling there was c&ts are necessary and important across
39 the board. And my personal opinion and feeling about this is
40 that people, right now, are really afraid and they're afraid,
41 you know, for their own -- for the resources in their own
42 regions and areas. And personally, I think that the c&t --
43 the emphasis on c&t is creating a lot of friction and a lot of
44 anxiety among people. And I think that's an important aspect
45 that needs to be brought up, you know, for your deliberations.
46 Personally, I agree with Craig, and I believe that inclusive is
47 the best way to approach this.

48
49 I submitted some proposals in the name of Healy Lake

50 today that were exclusive and that was based on their

0112

1 understanding -- based on fear is what I really believe. And I
2 think you know, I just submitted them as placeholders hoping
3 that we can discuss this further. And I think it needs to be
4 brought out, people are afraid, they're becoming angry, they're
5 becoming territorial. It's all happening right now as part of
6 this pressure of this process.

7

8 That's all I wanted to say, thank you.

9

10 MR. FLEENER: Mr. Chair.

11

12 CHAIRMAN MILLER: Go ahead, Craig.

13

14 MR. FLEENER: We've got some c&t determinations on a
15 few animals in the Yukon Flats, moose being one of them and it
16 hasn't done our moose population any favors. Our moose
17 population is the same as it was before we had a c&t
18 determination. So you know, we got a pretty lousy moose
19 population. There aren't a whole lot there as pointed out by
20 Greg McClellan earlier. Last year or the year before last they
21 counted 666 or they averaged -- or they figured there was 666
22 in Unit 25(D) west and the population isn't increasing, it's
23 not declining as far as we know. But if we didn't have a c&t
24 determination it wouldn't change the population, if it did have
25 it, it hasn't changed the population. So the only thing it
26 does is excludes other subsistence user from coming into that
27 area and harvesting that animal. And that's something that
28 this Council has said that they don't want to be done,
29 excluding other subsistence users. And in my opinion, that's
30 what I see it doing.

31

32 Now, there may come a time when it does us a favor but
33 I haven't seen it yet.

34

35 CHAIRMAN MILLER: Let's go back to the 1844 permit
36 system. Are there anymore comments?

37

38 MR. GOOD: Mr. Chairman.

39

40 CHAIRMAN MILLER: Go ahead, Nat.

41

42 MR. GOOD: You know, at that Southcentral meeting, I'm
43 looking at this last area under our unit and surrounding units
44 options, I think that the notations here seem like some of the
45 things that they were raising there. You know, when I look at
46 this I think to myself, well, the unit -- we didn't have units
47 by the way, we went with subunits. One of the things they said
48 was, well, not all units are divided into subunits so obviously
49 there'd have to be something clarified there. But when I look

50 at this and I see that there could be a problem with rural

0113

1 residents who are not subsistence users, such as loggers and
2 logging camps or military based personnel; I can see that it's
3 really easy to exempt a few and perhaps easier than it is to
4 identify each and every finite qualified group which we're
5 having headaches over. And the other thing here is, if we're
6 talking about loggers and logging camps or even military based
7 personnel and I don't know if this is the way it's done
8 everywhere but when the people did come up from Glennallen to
9 Delta they asked that I assist them and I did in determining
10 that the people did have permanent local addresses. That would
11 certainly eliminate loggers and making certain that nobody from
12 Ft. Greeley was there and that certainly eliminated them so I
13 don't know that this is a problem tacked on the end here.

14

15 MR. SHERROD: This is your opportunity to throw out
16 stuff that we'll put in this report. It's not my opportunity
17 to respond. I said my peace last time.

18

19 MR. BOYD: If I may add, just maybe amplifying on some
20 of the things George has already said. You know, the committee
21 that's been formed to look at this is asking for your candor
22 and your reaction of this and that's what I'm hearing. So I'll
23 encourage you, I mean I'm hearing your honest opinion about the
24 questions laid out in this report from that committee. I'd say
25 that no matter what you said. But they're asking you for your
26 input and so we'll capture what you say and clearly take it
27 back to the committee.

28

29 MR. NICHOLIA: Well, if there's a shortage in one unit
30 and we included subunits from earlier, how are we going to --
31 if there was a shortage in one unit and how we've been doing,
32 we included all the other units to be in customary and
33 traditional uses, how are we going to restrict it?

34

35 MR. FLEENER: If there comes a time like we were
36 talking about earlier, that there is a problem we would go to
37 the .804 process and then you would be more restrictive. If
38 it's the community of Tanana you're worried about and there's a
39 low moose population along there, you would say, okay the
40 community of Tanana is the only one that can hunt in this area.
41 But until that time you just leave it as broad as possible.

42

43 MR. NICHOLIA: Yeah, okay.

44

45 MR. MATHEWS: When you get to that point you have to
46 look at other uses. So other uses would have to be restricted
47 or eliminated before you get that. That's what's missing in a
48 lot of our documents here, is that, immediately when there's a
49 shortage you're thinking subsistence users got to decide who's

50 in and out amongst that pool. You first look at other uses, if

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1 those uses cannot be met then we restrict them, curtail them.
2 Then if you still don't have enough moose or caribou then you
3 look at your qualifying group to see who qualifies. So I get
4 concerned when we make that jump. And I know Gerald didn't
5 intentionally do that, but that's what I was leading to
6 earlier, you're immediately grabbing the conservation burden as
7 all your own. There's other burdens that have to be bore by
8 other uses prior to you having to decide amongst the
9 subsistence users who's in and out. It could be sport hunting,
10 it could be non-resident, there's a whole bunch of other
11 factors that could be used before.....

12
13 MR. P. TITUS: Vince. The fish crash, who's got right
14 to what little fish there is? We're going to be facing that
15 situation with the stuff we're dealing with now. So how do we
16 deal with that problem, you do the fish problem, then the meat
17 -- caribou meat will be solved, too, right?

18
19 MR. MATHEWS: Right. You would have the same
20 situation.....

21
22 MR. P. TITUS: And the subsistence user -- all the
23 people that live on that fish are subsistence users.

24
25 MR. MATHEWS: You'd have to be appraised of all other
26 uses and their needs from that population and that stock. And
27 then to see if those needs could be met, if not, then you would
28 curtail those uses. And then you would look at your standing
29 c&ts to do that. Fish brings in a whole 'nother factor, but
30 essentially you would apply the same process and then once you
31 got down to closing other uses out, then you would start the
32 .804 process.

33
34 MR. P. TITUS: But fish is a subsistence resource. You
35 got to include it.

36
37 MR. MATHEWS: Right now it's not under the jurisdiction
38 of this program.

39
40 MR. P. TITUS: But it's solving the problem.

41
42 MR. MATHEWS: I mean it's on moratorium or whatever we
43 want to call it.

44
45 MR. P. TITUS: It's solving the problem. Are we going
46 to be dealing with the same problem over a fish?

47
48 MR. MATHEWS: If I could be so quick on it, yes.
49 That's why the c&t issue discussion now is prime in my opinion.

50 Because in some ways this breather on the moratorium allows

0115

1 further discussion on this. I don't know if it's beneficial
2 but.....

3

4 MR. P. TITUS: But we can't exclude fish from
5 subsistence. It's part of subsistence. It's been since God
6 created us.

7

8 MR. FLEENER: I think we should move on.

9

10 MR. NICHOLIA: What I really wanted to say is there is
11 a -- let me put it this way, there's sport, there's
12 subsistence. Does sportsmen really need that resource? Do
13 they really need it? Do subsistence people really need that
14 resource? That's what's got to be looked at here.

15

16 Do you really need to show off horns or do you really
17 -- or does the village person really need to eat that meat?
18 And that's what we're looking at here. And what was ANILCA
19 Title VIII's first implementation was to protect the Natives,
20 the rural people's connection to their land. That's their
21 subsistence users. Priority over sport hunting and all the
22 other uses. And as these c&t determinations are going to help
23 those subsistence uses, I say we do make those determinations
24 then for their benefit because that's all this whole thing is
25 about is to protect the subsistence way of life, ain't it?

26

27 MR. FLEENER: Yes.

28

29 MR. NICHOLIA: If we have to make c&t determinations to
30 see who uses the depleting resources, then we have to do it.

31

32 MR. GOOD: I think, Mr. Chairman.....

33

34 CHAIRMAN MILLER: Go ahead, Nat.

35

36 MR. GOOD: I'm going to shut up in a minute. You know
37 the whole thing is setup to protect the rural subsistence user
38 even when it says all rural residents are eligible. That means
39 that the sport fisheries or the sport hunters, if we get
40 fisheries, other people, out of state, that will wipe out the
41 guiding system, all those people will fall first before anybody
42 else. Then if it does get to the point where rural have to be
43 restricted as well, then the question is, how large a pool do
44 we want to have to shut down from when we reach ultimately
45 Section .804 as I understand it. Will it be from all rural
46 residents or will it be from a restricted pool that will
47 already be in place? Do we need a restricted pool of rural
48 residents already in place, that's our other question on the
49 side.

0116

1 And with that I'll shut up.

2

3 MR. FLEENER: I say no, we don't have to have a
4 restricted pool right away, so that's my opinion.

5

6 CHAIRMAN MILLER: I agree with Craig. I mean it's all
7 going to boil down to -- you know, if things do get to where
8 you can't hunt, it's just going to go to that 1344 permit or
9 the .804 anyway, whether you have a c&t or whether you don't.
10 It don't matter. So I don't see why we're sitting here -- I
11 mean geez we've been talking about this for the last six year,
12 since I've been on here. We ain't no closer now than we were
13 then. And the only thing we're doing is pitting people against
14 each other. Why don't we let the Feds handle that.

15

16 MR. MATHEWS: I will -- Tom requested a summation and
17 it'd be fair to surmise that the Council sees benefits to the
18 c&t program, but also is not real clear as to when it needs to
19 be done. That there's still confusion over the general topic
20 of customary and traditional use determinations. And that you
21 just kind of want to leave it where it is.

22

23 MR. NICHOLIA: I think it's way out of context to tell
24 you the truth.

25

26 MR. FLEENER: Mr. Chair, I don't quite agree with that,
27 I'm not -- I don't think I'm too confused about it. I mean
28 there's still confusion in the whole process but I don't
29 necessarily think that we gain a whole lot by doing c&t
30 determinations. So I could be happy saying if we didn't have
31 c&t determinations and we had to depend on the .804 process or
32 at least until we found out that there was a need for
33 restriction, you know, I don't think we need to do it right
34 away and I don't think I'm too confused about that. I'm pretty
35 determined that I don't necessarily like it too much.

36

37 MR. BOYD: Clearly what I'm hearing from, at least
38 several of you, at least three of you, is that you find that
39 the c&t process is unnecessary and that if there are resource
40 problems or issues or shortages then you would rely on Section
41 .804 first to eliminate other uses and then to further restrict
42 subsistence users if necessary. That's what I'm hearing from
43 at least three of you.

44

45 MR. P. TITUS: The subsistence always got to be there
46 for the Native people.

47

48 MR. BOYD: Right.

49

MR. P. TITUS: It's been there since God created us and

0117

1 it's always got to be there for the future, too, for our
2 people. Because none of the subsistence resources -- it was
3 all created like that for us to live on for the future of our
4 people, that's why he made it that way. He didn't base our
5 economy on money, he based it on subsistence. That's why we've
6 been here for centuries. And that's the way it's got to be
7 forever.

8
9 MR. BOYD: Further what I'm hearing also that c&t
10 determinations as they are currently being applied, what I'm
11 hearing from you is that you feel that they're too restrictive
12 and that they possibly restrict other subsistence users when it
13 might not be necessary to do so. Is that a fair summation?

14
15 MR. FLEENER: I think so.

16
17 MR. NICHOLIA: I know it's a hard choice to make and I
18 sure wouldn't want to feed one family that's subsistence using
19 and having no other way of putting food on the table and while
20 the other one gets to do it, see that's what I hate to be
21 doing. But I know it's a hard choice to make to see who uses
22 the depleted resources and I sure wouldn't want to go away or
23 ditch something that we're trialing and erroring on right now
24 or that we might be able to fix or we might be able to get
25 worse. But like Chuck said, it's been going on for six years
26 and I just been on here for, what, one year. It's just pretty
27 hard choices to make and I guess we're here to make those
28 choices. If it was up to me, I sure wouldn't want to restrict
29 one group and allow another subsistence user group to be -- to
30 do that and have one group like me and one group hate me.
31 That's what I'm trying to say. That's just a hard choice.

32
33 And another thing that tops it off is why give -- when,
34 one, you know somebody needs that for their nutritionals and
35 when you know somebody else is just doing it because they want
36 to do it, there's got to be a defined line that states the
37 difference between that. Sport and subsistence. There's got
38 to be a line drawn there. We're just dragging -- even the
39 State, we're just dragging this all over, blowing it way out of
40 context from the start. So I think it was based on protecting
41 the rural priority uses for rural people while they're at a
42 disadvantage from the other people in Alaska.

43
44 That's -- I don't want to see something be lost because
45 -- I don't want to see one tool like the c&t determinations be
46 lost because it's -- because of -- it's making a split between
47 people -- little people against little people and I don't like
48 to see that. Little people and little people should be getting
49 together to work together.

0118

1 CHAIRMAN MILLER: Okay, Connie.

2

3 MS. FRIEND: This might help Mr. Chairman and Council
4 members. Proposal 5, which is one of the overlapping proposals
5 from Southcentral and Eastern Interior Regions, it's on Page --
6 I don't know what page -- it's past -- it's within K, yeah.
7 Proposal 5, the existing regulation, Unit 12 black bear, no
8 determination, all rural residents. The proposed regulation,
9 Unit 12 black bear, rural residents of Chistochina and
10 Mentasta. That excludes rural residents of Unit 12 who are
11 there and there's more like this, too. It's just one example
12 that might help you to see what's happening to the c&t process.

13

14 Thank you.

15

16 MR. FLEENER: Mr. Chair.

17

18 CHAIRMAN MILLER: Go ahead, Craig.

19

20 MR. FLEENER: There's something else I wanted to point
21 out, a c&t determination that -- we have another one for the
22 Yukon Flats, it's for black bear. And we heard earlier the
23 discussion how we have a really high black bear population, yet
24 we've restricted unnecessarily, in my opinion, the use of
25 people outside of -- I think it's 25(D) -- I don't remember,
26 but I think it's 25(D) for using black bears in 25(D) and
27 there's absolutely no need to do that. But it's because of
28 people's interest in having their customary and traditional
29 determinations recognized and that's not the right reason for
30 doing it. That's why we did it but that's not the right
31 reason. So there's unnecessary restrictions on a resource
32 that's more abundant than the moose population.

33

34 MR. NICHOLIA: I say make c&t determinations only when
35 we have to.

36

37 CHAIRMAN MILLER: Go ahead, Hollis spread some light on
38 this for us please.

39

40 MR. TWITCHELL: Hollis Twitchell from Denali. I won't
41 try to talk from a Park Service standpoint I'll just try to
42 explain where the Denali SRC was coming from when they
43 discussed it and the paper that I handed out to you, the very
44 bottom paragraph pretty much summates their position. That the
45 c&t determination process can provide protection to local rural
46 resident users as directed by ANILCA. But where
47 inappropriately apply can drastically and unnecessarily
48 restrict legitimate subsistence use of the resources. As was
49 the case in the McKinley Village Parks Highway c&t

50 determination that took a decade to correct. The Commission

0119

1 recommends that the Federal Subsistence Board make no c&t
2 determinations unless one is needed to protect the resource.

3
4 They also felt that there was some value in having c&t
5 determinations. But one of the things they felt was severely
6 lacking was Factor 6 in their sheet that says, add a sixth
7 factor stating local traditional knowledge from residents,
8 commission, and council members representing the community or
9 area should have a significant influence in making c&t
10 determination uses. The reason they put that in is they felt
11 that the process was lacking in terms of coming back to these
12 local advisory groups to garnish that knowledge about what's
13 really going on and what the uses are in that area. They were
14 concerned that the c&t analysis were prepared and then
15 submitted and they didn't have a chance to have local input
16 into it at an early enough stage where they could have some
17 influence on it. And they felt that that was lacking and they
18 wanted to ensure that any further c&t process would find some
19 way to come back to them, the local residents, the local users
20 to get that input in to augment the user data that's in the c&t
21 analysis.

22
23 MR. FLEENER: Mr. Chair, I think in order for us to
24 maybe push the c&t thing aside and maybe not ditch it
25 completely because there may be a legitimate use before we do
26 .804, but I think we might have to substitute something else in
27 there. Because the community members still want recognition
28 for what they see as an important recognition of the use of
29 resources. And I think some appropriate language in something
30 would be -- something would be appropriate for us to, at least,
31 be able to recognize the subsistence users, the traditional and
32 customary uses of people in various communities. They've used
33 this as a tool so far and it's caused headaches because it's
34 been probably used inappropriately at times. And so I think it
35 would be -- maybe the c&t working group could consider an
36 alternative or something that the Councils can administer
37 where traditional uses are recognized. And I think that would
38 really be a good idea. People want that recognition. They're
39 using this as a tool to get it and we need to make something
40 available for them to use to get that recognition.

41
42 CHAIRMAN MILLER: Anything else?

43
44 MR. MATHEWS: Craig was on that group so he can carry
45 that forward on that.

46
47 CHAIRMAN MILLER: Are we moving on now?

48
49 MR. FLEENER: Uh-huh.

0120

1 MR. MATHEWS: If that's the desires, correct.

2

3 MR. FLEENER: Were you done making a summary, Vince?

4

5 MR. MATHEWS: No, Tom, did an excellent summary. It's
6 just such an important topic, we want to make sure we captured
7 what you got. There's many, many sweaty meetings that we go to
8 that we -- it's best to have your concurrence with what Tom did
9 on that summary because that's what we'll probably be speaking
10 of. That's all we were doing. This is a topic that's
11 discussed quite a bit in our program.

12

13 So we can move on.

14

15 CHAIRMAN MILLER: Okay. Going down to Number 2,
16 background information, review of Regional Council 1998
17 recommendations and resulting changes by the Federal
18 Subsistence Board at it's May '98 meeting.

19

20 MR. MATHEWS: Okay. The main ones there and we'll be
21 turning this over to Pete and George. I don't know if there
22 needs to be discussion on the Special Action that happened in
23 Unit 20(E), which is under Tab J. And then under Tab K you'll
24 be referred to, which is kind of a bulleted response, it's
25 called the.805 letter to all your recommendations last year.
26 You've gotten it in the mail so I think Staff will be asking
27 you how you want to proceed.

28

29 CHAIRMAN MILLER: Front and center Pete.

30

31 MR. DeMATTEO: Mr. Chair, I'm going to cover two
32 proposals that the Board took up last regulatory cycle and
33 that's Proposal '97 in your book, Page 2 under Tab K. This
34 proposal was submitted by Tanana Fortymile Fish and Game
35 Advisory Committee. They requested the establishment of a
36 season and harvest limit for brown bear, Units 12 and 20(E).
37 The board granted a c&t for that area, but we failed to provide
38 a season. So we followed up with that and the Board
39 unanimously adopted the proposed seasons for that area.

40

41 The second one that I'll cover is Proposal 105 on Page
42 4. This was submitted by the Eagle Fish and Game Advisory
43 Committee and it requested an extension of the current fall
44 Federal season for Unit 20(E) and 25(B). At the request of the
45 Fish and Game Advisory Committee, the Board unanimously adopted
46 the proposal which extended the season beginning on August 20th
47 and went straight through to September 30th.

48

49 And those are the two changes to season and bag limits

50 that the Board dealt with last year. The rest of them you're

0121

1 going to hear, George will cover and those are c&t.

2

3 MR. SHERROD: Mr. Chair, if it's okay, rather than
4 going through each and every one of these because you have them
5 in front of you, I'll touch, I think, on the essence of the
6 Board's action, it's discrepancies between what the Eastern --
7 this Council did and this will sort of carry over into Part B,
8 which is the deferred proposals.

9

10 On a number of the c&t proposals, this body recommended
11 adopting certain c&ts with the modification that units and
12 subunits, adjoining units and subunits be included. After a
13 fairly lengthy discussion at the last meeting, I assured this
14 body that I could write up some generic language and tack on
15 the end of these proposals and we would send it forward. The
16 Board and the Staff Committee had -- I say, procedural problems
17 with the idea that you had not actually seen the generic write
18 up that went forward or the Southcentral Council had not. So
19 in essence the ones that the Board did not follow your
20 recommendations on for the most part are coming back in the
21 form of deferred proposals with this generic language and
22 probably some additional analysis that will be before you this
23 spring.

24

25 So I think that covers the ones in which there was a
26 discrepancy between your recommendation and what the Board went
27 forward and is -- I'm pretty sure that all of these will
28 probably be back in front of you with this new language for you
29 to review. And maybe by that time there'll be some new
30 insights on how to do c&ts or something. So we can smoothly go
31 through these.

32

33 Are there any questions?

34

35 CHAIRMAN MILLER: Nope. Questions?

36

37 MR. GOOD: One thing isn't this the point where we need
38 to talk about some representatives to meet with the Joint
39 Southcentral Committee?

40

41 MR. SHERROD: Well, if we've officially moved into D --
42 or B, excuse me, that was the other component of these deferred
43 proposals, was that Mr. Good was down at the Southcentral
44 meeting. They were -- I guess they decided not to send a
45 representative to this meeting because there is a working group
46 formed trying to deal with this overlap proposals. I think
47 it's also kind of important to point out though that in all of
48 these cases, except one, and that's going to allude me at the
49 moment, there was an agreement between this body and

50 Southcentral body. Again, the problem was Southcentral met

0122

1 after you did, they sort of adopted your unit and subunit
2 approach that was sort of -- and then the Board says, no, we've
3 got to look at this in a different light.

4
5 And I guess with that, I will turn this over to Vince,
6 because I think he's coordinating this joint meeting.

7
8 MR. MATHEWS: All these job assignments. What he's
9 basically saying is all those proposals that you see at the
10 backside of the agenda and also in the book are deferred.
11 They'll be back before you. Lee and Chuck were at the meeting.
12 It was decided there because the parties, authors to the
13 proposals, this is a grassroots level, people in many ways on
14 opposite sides of the fence on issues that, why don't we have a
15 subcommittee meeting so we can talk more frankly, talk more and
16 find common ground. So Southcentral has agreed to that. Your
17 two representatives Lee and Nat said that they didn't want say
18 who should go. They wanted to report back to you guys to see
19 who you would -- first would you agree to getting into this
20 process of looking for common ground, both with the authors of
21 the proposals and the two Councils and Staff. First they
22 wanted to see if you supported that, if you did, then who
23 should go to that meeting. There's been no dates on that
24 meeting but I've been out of the loop so maybe others in the
25 office know that there's been some blockage of time on when
26 this subcommittee might meet.

27
28 MR. BOYD: Let me just address that. As far as I know,
29 Mr. Chair, there were -- and I don't know the names, but there
30 are two or three people from the Southcentral Council appointed
31 and so I guess the question is who, from your Council should
32 go. And the idea was to have a meeting prior to the winter
33 meeting so that we could sort out these overlapping proposals
34 and maybe come to some common understanding and then take those
35 -- and maybe even consensus and take those -- take that
36 discussion back to your respective Council meetings when you
37 meet again this winter or spring. And that way you might come
38 up with a consensus that then goes forward to the Board in the
39 spring. Is that clear?

40
41 MR. MATHEWS: And obviously the most likely candidates
42 are the candidates from the Council that would be those that
43 are directly effected or are directly from that area. So that
44 would obviously be Lee Titus, the Chair, Chuck Miller and Nat
45 Good are directly effected by those.

46
47 MR. BOYD: And it could also be possible that some of
48 the proposal proponents could also attend the meeting, such as
49 the Copper River Native Association representative. Maybe

50 someone from Tanana Chiefs as well as the Healy folks and

0123

1 others. So the idea was to get people together talking, sort
2 this stuff out, perhaps come to a consensus and then come back
3 to the public sessions in the Regional Council meetings in the
4 winter and then take the recommendations then forward to the
5 Board. So there are no dates set right now that I'm aware of.

6
7 MR. MATHEWS: No, I think that.....

8
9 MS. FRIEND: December 1st in Copper Center.

10
11 MR. MATHEWS: It's a cooperative effort.

12
13 MR. BOYD: Yeah, somebody's talking to Connie that's
14 not talking to me.

15
16 MS. FRIEND: No, I'm told by Copper River Native
17 Association that it's set for December 1st at Copper Center.

18
19 MR. BOYD: Okay. I need to get back with the folks in
20 my office. I would say that that's subject to discussion.

21
22 MR. MATHEWS: And that goes along with what I was
23 thinking, Southcentral is taking on a major task in November on
24 the Kenai Peninsula, so I would predict that they would not be
25 available to have some type of meeting in November. It would
26 be really stressful, they're having three public hearings on
27 the Kenai Peninsula. So I predicted December. And it appears
28 to be, without checking back to the office, it looks like
29 December. But we'll have to check with that. That's kind of
30 moving ahead because you guys haven't really agreed to it yet
31 or agreed who to send. But it may just be preliminary talk,
32 December 1.

33
34 MR. GOOD: Mr. Chairman.

35
36 CHAIRMAN MILLER: Go ahead, Nat.

37
38 MR. GOOD: It, however, should be sometime after we
39 have the next meeting on c&t anyways since that's what all the
40 problem is regarding anyway, on these conflicts.

41
42 MR. BOYD: I would say on the c&t process that's
43 ongoing; is that what you're referring to?

44
45 MR. GOOD: Yeah. The meeting that Craig will be
46 attending here shortly.

47
48 MR. BOYD: I would view these as separate tracks right
49 now because we don't know in terms of -- we don't know where

50 we're going to end up in time on this c&t process. I honestly

0124

1 can't tell you.

2

3 MR. GOOD: But the problem we have is that they agreed
4 to our subunit and adjacent subunit thing and so it's right in
5 there. We're supposed to resolve that when we agreed to it,
6 you know. We're going to hope you get something.

7

8 MR. BOYD: Yeah, I understand the dilemma that you're
9 dealing with here.

10

11 MR. GOOD: Yeah.

12

13 MR. BOYD: I would say keep in mind we're currently
14 operating under the process under our current regulations.
15 This other question with the c&t working group is actually
16 talking about changing those regulations which is a more
17 protracted longer process. So I wouldn't be thinking we're
18 going to resolve that before you get together on this other --
19 before you get together with the Southcentral folks on this
20 other issue.

21

22 I'd say keep in mind your mind set needs to be we're
23 operating under the current regulations, under the current c&t
24 process right now for deliberating with the Southcentral folks
25 on the overall proposals.

26

27 MR. MATHEWS: And under current regulations unit and
28 subunit is allowable.

29

30 MR. BOYD: Certainly.

31

32 MR. MATHEWS: It's not an in or out.

33

34 MR. BOYD: It's an option.

35

36 MR. MATHEWS: Right. It's allowable under existing
37 regs. But you could still go forward with the unit and subunit
38 under existing regs but it's back before you as a sole option
39 under c&t, discussion of revising that. So you still -- you
40 know, that option stands.

41

42 MR. P. TITUS: Whenever you discuss this c&t
43 determinations you have to include fish because it's a
44 subsistence resource. It has to be included whether you like
45 it or not, it's got to be there.

46

47 MR. BOYD: Mr. Titus, you're absolutely right. I agree
48 with you 100 percent.

49

MR. P. TITUS: I mean that's just the way it is. We

0125

1 can't have one without the other. It's the subsistence
2 resource.

3

4 MR. HAYNES: Mr. Chairman, Terry Haynes. At the
5 Southcentral meeting Elizabeth Andrews from Subsistence
6 Division requested that the Department be invited to
7 participate in this meeting, too. So I'd like to request that
8 we be informed of the meeting date as far in advance as
9 possible.

10

11 MR. BOYD: It would have to be the responsibility of
12 our office and we're aware of it.

13

14 MR. HAYNES: Okay, thank you.

15

16 MR. GOOD: The fact is the proposal authors and key
17 parties involved be part of this, and we failed to mention the
18 State, but that was part of it. Healy Lake was another part of
19 it. So it goes on and on and on. And we need someone to say
20 about when and where.

21

22 MR. BOYD: Exactly.

23

24 MR. FLEENER: I nominate Nat.

25

26 MR. MATHEWS: There seems to be some confusion on that,
27 too. Because the way it was said at the Southcentral meeting
28 would be one member from each Council but that may have
29 evolved. Because they said Fred John would be the one going
30 and then one from Eastern. So it would be best to have at
31 least two or three names down here and then see if, you know,
32 I'll.....

33

34 MR. FLEENER: I second that nomination of Nat.

35

36 MR. MATHEWS: I mean it can be by teleconference, too.
37 But you know this is very sensitive and it'd be best to have a
38 face-to-face because this is very sensitive between the two
39 areas.

40

41 MR. NICHOLIA: I say we be involved so we can establish
42 relationships with the Southcentral Council where we do have
43 overlapping proposals. It happens all the time.

44

45 CHAIRMAN MILLER: How about we put Nat down and if he
46 can't make it, I'll go to it.

47

48 MR. P. TITUS: Okay. Mr. Chairman, are you
49 volunteering to be the alternate?

0126

1 CHAIRMAN MILLER: Yes, Mr. Titus.

2

3 MR. P. TITUS: Okay. I second the motion.

4

5 MR. FLEENER: Question.

6

7 CHAIRMAN MILLER: Question's been called. All in
8 favor.

9

10 IN UNISON: Aye.

11

12 CHAIRMAN MILLER: Opposed same sign.

13

14 (No opposing votes)

15

16 MR. GOOD: But Mr. Chairman, I think you should also be
17 free to appoint others to go should they want, two or three.

18

19 MR. P. TITUS: Shhh.

20

21 MR. FLEENER: I'm opposed to that motion.

22

23 (Off record comments)

24

25 MR. MATHEWS: I think it's obvious you agree to it and
26 then it appears to be up to three and then I will dialogue with
27 the Chair on that. But your number 1 is Nat, if Nat can't make
28 it, but I will be kind of twisting your arm Chuck to go because
29 you're the closest one to Healy Lake that's present there. And
30 it's kind of critical that you be there. But I know it's
31 timing on your part. So we'll have to factor that in.

32

33 CHAIRMAN MILLER: Okay, back to the agenda.

34

35 MR. MATHEWS: Yeah, sorry. If I can summarize what
36 happened there, essentially you've covered all of 3(B) because
37 all of those proposals, if I got it right, will be covered at
38 that meeting and that will be reported back to you if common
39 ground and consensus. Unless Staff informs me otherwise,
40 that's how I understand it.

41

42 MR. NICHOLIA: No, on that thing with Southcentral we
43 forgot Lee Titus.

44

45 CHAIRMAN MILLER: Yeah, well, we can put him down as an
46 alternate. It's kind of hard to get Lee to attend things.

47

48 MR. GOOD: Well, Mr. Chairman, I would like to report
49 that Lee did an excellent job of representing us at the

50 Southcentral meeting. He was there, too. He did a great job.

0127

1 MR. FLEENER: Forget it Nat, you've already been
2 nominated.

3
4 CHAIRMAN MILLER: Okay, let's move on to.....
5

6 MR. MATHEWS: The next would be C under 3 which is
7 potential alignment proposals to align State regulations where
8 additional subsistence opportunity could be gained.

9
10 CHAIRMAN MILLER: Where did that come from?
11

12 MR. MATHEWS: That was requested by.....
13

14 MR. FLEENER: Me.
15

16 MR. MATHEWS:Mr. Fleener.
17

18 MR. FLEENER: I was interested in looking at the places
19 in the hunting regulations where there were discrepancies where
20 the State was more lenient and the Federal hunting seasons were
21 more restrictive. And there's quite a few where the Federal
22 hunting seasons are very restrictive and I was interested
23 in.....
24

25 CHAIRMAN MILLER: Isn't there a proposal now before the
26 Board dealing with this, trying to get the State and Federal
27 more aligned?
28

29 MR. FLEENER: Well, there's a few of them. I know that
30 there's at least one brown bear one because I know the guy that
31 submitted it. But I don't know about how many there are.
32

33 MR. MATHEWS: There are other proposals and Pete can
34 talk about them but I think they -- the main point is that
35 there are some opportunities that can be gained by aligning
36 with the State.
37

38 CHAIRMAN MILLER: But it's kind of in the process right
39 now and they're starting to work to align these hunting seasons
40 -- they're starting to actually align these hunting seasons?
41

42 MR. FLEENER: No, not under the guise of aligning or to
43 try to open these seasons up. Only one at a time, pot shot
44 hits by proposals that are being sent in by individuals. There
45 hasn't actually been a.....
46

47 CHAIRMAN MILLER: I thought I seen that someplace.
48

49 MR. MATHEWS: Okay, what we're losing here is the fact

50 that if action were taken to align on certain species in

0128

1 certain areas, additional subsistence opportunity would be
2 gained under Federal regulations. It is not to align just to
3 align. It's additional opportunity. And I'm drawing a blank
4 but George or Pete could probably give you an example where we
5 may have a closure on September 25th and the State one has it
6 on September 30th, is what we're looking at. Or we have 10
7 beaver harvest limit and they have 25 beaver harvest limit.
8 That's what we're looking at.

9
10 MR. FLEENER: Or the State has an open brown bear
11 season and the Federal government doesn't. That's one of the
12 big discrepancies. There's a lot of closed brown bear seasons
13 on Federal land but it's open on a lot of the State land -- or
14 State regulations, excuse me.

15
16 MR. DeMATTEO: Mr. Chair, following Mr. Fleener's
17 request, Staff has taken a look at the Federal regulations to
18 see where there are these discrepancies between the Federal and
19 State regs. And oh, there's maybe six or seven of them I can
20 quickly run through.

21
22 The first one deals with beaver trapping in Unit A, B
23 and C where the Federal limit was 25, but the State limit is no
24 limit. So in other words, there's more opportunity under the
25 State trapping regulations than the Feds. And you have to ask
26 yourself, do you want a proposal to the Federal Board that
27 would align with the no limit that the State has.

28
29 Do you want me to just keep going?

30
31 MR. FLEENER: Yeah, maybe we can go through all of
32 them.

33
34 MR. DeMATTEO: The next one is beaver again, Unit
35 25(C). Federal trapping limit is 25 beaver and the State again
36 is no limit.

37
38 The next one is brown bear, which I think Mr. Fleener
39 is aware of already, brown bear Unit 25(D). This is where the
40 Board granted c&t but no season to go along with it. So to
41 line up with the State you would put in a proposal that would
42 grant one bear every regulatory year. The season would be
43 September 1 through May 31st.

44
45 The next one is caribou, Unit 25(A) and (B) and the
46 remainder of 25(D). The bag limit is 10 caribou limit,
47 however, under the Federal regulations there exists a
48 restriction that says no more than five caribou may be
49 transported from these units per regulatory year. The State

50 had that but they dropped it.

0129

1 The next one is caribou, Unit 25(C), that portion north
2 and west of the Steese Highway. The current Federal season is
3 February 15th through March 15th. The State season starts
4 February 1st and runs through March 31.

5
6 Next is moose, Unit 12. There's three areas. That
7 portion within Tetlin National Wildlife Refuge. The next one
8 is Unit 12, that portion that lying east of the Nabesna River.
9 The next one is Unit 12, remainder. All three August seasons
10 are August 20th through the 28th. The State season begins on
11 the 15th and runs through the 28th.

12
13 MR. FLEENER: Mr. Chair.

14
15 CHAIRMAN MILLER: Go ahead, Craig.

16
17 MR. FLEENER: Actually if you think about it we really
18 don't have a restriction because we can't hunt under State --
19 so either way you look at it you're not creating additional
20 opportunity because you can't hunt under the State regulation.
21 So you can say it either way, it's to create opportunity, which
22 it isn't because you can't hunt under the State regs. So I'd
23 like to make a motion that we pursue aligning these seasons
24 with the State if that would be appropriate at this time.

25
26 CHAIRMAN MILLER: Do I hear a second.

27
28 MR. GOOD: Second.

29
30 CHAIRMAN MILLER: Okay. Discussion.

31
32 MR. GOOD: Question.

33
34 CHAIRMAN MILLER: Question's been called. All in favor
35 signify by saying aye.

36
37 IN UNISON: Aye.

38
39 CHAIRMAN MILLER: Opposed same sign.

40
41 (No opposing votes)

42
43 CHAIRMAN MILLER: You guys can work it out. Okay,
44 general Regional Council proposals.

45
46 MR. FLEENER: We did it.

47
48 CHAIRMAN MILLER: Okay.

49

MR. MATHEWS: Unless there's some others that are out

0130

1 there. I don't mean to override the public, but there may be
2 some others that want to discuss them or whatever.

3
4 CHAIRMAN MILLER: Public. All I see is Staff.

5
6 MR. FLEENER: Hey, wait a minute we got one public
7 right there.

8
9 CHAIRMAN MILLER: Oh, yes.

10
11 (Off record comments)

12
13 CHAIRMAN MILLER: Now, we've got to do.....

14
15 MR. FLEENER: Annual reports. Maybe we could take a
16 five minute break and talk about the annual report stuff.

17
18 CHAIRMAN MILLER: I thought we did that.

19
20 MR. FLEENER: Did we do that?

21
22 MR. MATHEWS: No you kind of.....

23
24 MR. FLEENER: Yeah, I deferred it.

25
26 MR. MATHEWS:tabled annual report for '98 to
27 allow discussions during breaks. And then all you have left is
28 elections and where you want to meet the next time unless I'm
29 missing something.

30
31 CHAIRMAN MILLER: Hawaii.

32
33 MR. FLEENER: Why don't we take a five minute break and
34 we can discuss some of these.

35
36 MR. MATHEWS: During break you can talk to Tom about
37 going to Hawaii.

38
39 (Off record)

40 (On record)

41
42 CHAIRMAN MILLER: Let's call this meeting back to order
43 please.

44
45 MR. FLEENER: Mr. Chair.

46
47 CHAIRMAN MILLER: Go ahead, Craig.

48
49 MR. FLEENER: I think Mr. DeMatteo had something we

50 forgot to discuss.

0131

1 MR. DeMATTEO: Mr. Chair, in order to complete Mr.
2 Fleener's request, and that is to get all these proposals in
3 the mill to meet his intentions, there's a few more we need to
4 cover in order to get Council's endorsement on to put the
5 proposal in with your name on it. So if it's okay, I'll
6 proceed with that.

7
8 CHAIRMAN MILLER: Proceed.

9
10 MR. DeMATTEO: All right. The next one is coyote,
11 Unit 12. Current bag limit under the Federal regs is two
12 coyotes, however the State, beginning October 1st is 10. A
13 more liberal take.

14
15 The next one is lynx, Unit 12. The bag limit is two
16 lynx, however the Federal season terminates on January 31st,
17 the State season goes clear through to March 15th.

18
19 Dealing with an area you're quite familiar with and
20 that's the Eagle area, Unit 20(E). This is within the Preserve
21 for moose. Last year you extended the season from August 20th
22 straight through to September 30th. However, the Board of
23 Game, they extended the season and they begin it on August
24 15th. So you have to decide, does Eagle have enough
25 opportunity or would August 15th give them more opportunity.
26 Does anybody hunt August 15th through August 20th. These are
27 questions I don't know. However, I do know that the Park
28 Service and the Eagle Advisory Committee are going to meet here
29 shortly, I think in a few days and they're going to address
30 issues and get that sort of information. So you have the
31 option to get information here pretty quickly.

32
33 MR. FLEENER: Mr. Chair.

34
35 CHAIRMAN MILLER: Go ahead, Craig.

36
37 MR. FLEENER: What is the Federal season on that right
38 now?

39
40 MR. DeMATTEO: August 20 through September 30.

41
42 MR. FLEENER: And the State season?

43
44 MR. DeMATTEO: August 15th through the 28th. And then
45 the State also has a September season as well with a three day
46 break in between.

47
48 CHAIRMAN MILLER: Isn't that spike-fork season?

49

MR. DeMATTEO: The Federal season, we dropped the

0132

1 spike-fork requirement.

2

3 CHAIRMAN MILLER: But the State has the spike-fork
4 restriction?

5

6 MR. DeMATTEO: The State has the spike-fork
7 restriction, yes.

8

9 CHAIRMAN MILLER: So it's basically two different moose
10 seasons?

11

12 MR. DeMATTEO: Yes, sir. And finally this deals with
13 caribou in Unit B, D and E, and also 25(C). And this is namely
14 the Fortymile herd. Basically real quick, under the Fortymile
15 Caribou Herd Management Plan, Craig Gardner mentioned earlier,
16 by agreement the harvest plan that will sunset in the year
17 2001, apparently the total bag limit is 150 bulls per year,
18 that's total Federal and State harvest. By agreement, 100 of
19 the 150 bulls total will be harvested during the fall, that is,
20 the State will shut the season down after 100 bulls have been
21 harvested. And by agreement, the Federal seasons will be
22 closed immediately. The problem is by the time the State gets
23 us the word that they're going to shut down and we put that all
24 through the Federal mill to get a Special Action from the Board
25 to complete that and they get the word to the public, if
26 everything goes correctly, it takes about a week under the best
27 circumstances. Now, there is a way to get around that and that
28 is to put a proposal into the Federal Board that would put
29 language within the Federal regulations that gives the Bureau
30 of Land Management and also the Park Service the ability to
31 close the season administratively without going to the Board.
32 This would save a whole lot of time and effort in order to put
33 us in compliance with the Fortymile plan the easiest way
34 possible.

35

36 CHAIRMAN MILLER: Sounds good.

37

38 MR. DeMATTEO: Okay. And that is what the Special
39 Action that Vince had mentioned before -- that he wanted to me
40 to mention that we just did this past August to close down the
41 Federal seasons. It took about a week to complete.

42

43 That's all I have.

44

45 CHAIRMAN MILLER: Nat.

46

47 MR. GOOD: These are proposals that will come back to
48 us?

49

MR. DeMATTEO: Yes, sir.

0133

1 MR. GOOD: For further discussion?

2

3 MR. DeMATTEO: Yeah. In other words, we'll write up an
4 analysis and you'll have a chance to discuss them in the
5 February meeting.

6

7 MR. MATHEWS: February or March and you can withdraw
8 them at that time, amend them. Your sister Council has done
9 this several times over the years and they've withdrawn their
10 own proposal. They just, you know, after seeing the analysis,
11 they've withdrawn them.

12

13 MR. FLEENER: Which sister, we have three?

14

15 MR. MATHEWS: Your sister to the sunset -- to the west
16 -- the Western Interior. Not your sister to the north.....

17

18 MR. FLEENER: Or to the south?

19

20 MR. MATHEWS: Or to the south.

21

22 MR. DeMATTEO: If there are no other proposals, that's
23 what we have on the table right now.

24

25 CHAIRMAN MILLER: Craig.

26

27 MR. FLEENER: Mr. Chair, I'm kind of wondering about
28 the moose season one. I wonder if we should align that one if
29 we went through so much trouble last time of.....

30

31 CHAIRMAN MILLER: There are two different seasons.

32

33 MR. FLEENER: Right.

34

35 CHAIRMAN MILLER: One's a spike-fork, one's open bull.

36

37 MR. FLEENER: That's what I was getting at. Maybe we
38 shouldn't address that one at this time because it's two
39 different types of hunts for two different reasons, I think.

40

41 MR. DeMATTEO: Are you suggesting that the Federal
42 season would begin on August 15th without the spike-fork
43 requirement? Is that what I hear you saying?

44

45 MR. FLEENER: Is that what the season is now, it starts
46 on the 20th now?

47

48 MR. DeMATTEO: The 20th.

49

MR. FLEENER: It doesn't have a spike-fork?

0134

1 MR. DeMATTEO: Correct.

2

3 MR. FLEENER: Right. So I don't know what I'm
4 suggesting other than maybe we shouldn't do anything with that
5 one, although it is -- it's more restrictive in one case but
6 more lenient in another. It's a more restrictive season wise
7 but more lenient rack wise, size wise. I don't know.

8

9 MR. KNAUER: Go with what he wants.

10

11 MR. FLEENER: Go with what I want, you're the man.

12

13 MR. MATHEWS: It may be best to just defer to see if
14 the Eagle Advisory Committee -- where they come in on it.

15

16 MR. FLEENER: They made the original request anyways,
17 didn't they? The original proposal change?

18

19 MR. DeMATTEO: Are you talking about the proposal
20 change from the previous year?

21

22 MR. FLEENER: Yes.

23

24 MR. DeMATTEO: Yes.

25

26 MR. FLEENER: Yeah, so maybe we can just wait to get
27 some input from them.

28

29 MR. DeMATTEO: That's what Staff is suggesting. I
30 think that meeting is going to happen fairly quickly here
31 possibly. We're fighting a deadline for proposal submissions,
32 with maybe a little bit of squeak.

33

34 MR. FLEENER: So is it the Council's interest to align
35 these other ones besides the moose one? Align the coyote and
36 align with the State season?

37

38 MR. SHERROD: It's in progress.

39

40 MR. FLEENER: Oh, so we don't need to take action on
41 this for alignment.

42

43 CHAIRMAN MILLER: It's just for our information.

44

45 MR. BOYD: Well, I think you're talking about
46 developing proposals, yeah, I think you need to have an
47 agreement on that so that we know that it's from this Council.

48

49 MR. FLEENER: Right. Yeah, right now these aren't.....

0135

1 MR. MATHEWS: The ones that he just brought up are not.

2

3 MR. FLEENER: Yeah, these are not before us or
4 anything, they're just nothing. We have to take action to
5 align these. They're not coming back before us unless we ask
6 for them.

7

8 CHAIRMAN MILLER: No, they're coming back to us.

9

10 MR. MATHEWS: No one's submitted these.

11

12 MR. FLEENER: No, these are not proposals.

13

14 MR. MATHEWS: These are just analysis of looking at
15 comparing State -- no one's submitted these.....

16

17 CHAIRMAN MILLER: The analysis will come back before us
18 as proposals?

19

20 MR. DeMATTEO: If the Council votes that you're going
21 to submit these proposals with your name on them, we will do
22 the analysis and the analysis will come back to you for
23 discussion.

24

25 MR. FLEENER: Well, I make a motion that we adopt these
26 the same way we did the previous ones except for the moose and
27 the Eagle Advisory Committee one until they have a chance to
28 look it over and then we'll take a look at it.

29

30 CHAIRMAN MILLER: Is there a second?

31

32 MR. GOOD: Second.

33

34 CHAIRMAN MILLER: Discussion.

35

36 MR. FLEENER: Question.

37

38 CHAIRMAN MILLER: Question's been called. All in favor
39 signify by saying aye.

40

41 IN UNISON: Aye.

42

43 CHAIRMAN MILLER: Opposed same sign.

44

45 (No opposing votes)

46

47 CHAIRMAN MILLER: Okay, let's get on to our 1998 annual
48 report. A couple of the concerns we'd like in there is the LPP
49 and the Council compensation. And I guess for now that's all

50 we got right?

0136

1 MR. MATHEWS: Did I catch that correctly, you would
2 want in the annual report, discussion on the Land Protection
3 Plan? What aspect of that did you want discussed? And then I
4 understand the Regional compensation, that you're disappointed
5 with the rejection of your earlier request that you want to
6 rerequest it so -- resubmit it. But what on the LPP?

7
8 MR. FLEENER: Mr. Chair, basically similarly to the
9 discussion that we have had. That we're disappointed with the
10 Land Protection Plan. The fact that one hand of the Federal
11 government says that they want to protect Native land ownership
12 and on the other hand they're willing to buy it back from us.
13 And the fact that they're supposed to protect subsistence uses
14 but, you know, how are we going to subsist if we have no homes
15 to live in, no land to stand on. So that's sort of a sketch.

16
17 MR. MATHEWS: All right. Are those the wishes of the
18 Council for the annual report, and these will be back before
19 you and be reviewed by the Chair prior to coming back before
20 you in your spring/winter meeting.

21
22 CHAIRMAN MILLER: Okay.....

23
24 MR. MATHEWS: You have elections, would be next.

25
26 CHAIRMAN MILLER: Yes, let's get back to elections.
27 Any nominations?

28
29 MR. P. TITUS: Elections. What about Council members
30 additional concerns?

31
32 CHAIRMAN MILLER: Okay, I open the floor for
33 nominations for Council Chair.

34
35 MR. GOOD: I nominate Chuck for President.

36
37 MR. FLEENER: For what?

38
39 MR. GOOD: Chairman -- whatever. President, we haven't
40 got one so you know.

41
42 MR. FLEENER: Governor.

43
44 MR. GOOD: That, too.

45
46 MR. P. TITUS: Move to close the nominations.

47
48 MR. FLEENER: Second.

49

CHAIRMAN MILLER: Okay. I guess all in favor of the

0137
1 nomination for Chair signify by saying aye.
2
3 IN UNISON: Aye.
4
5 CHAIRMAN MILLER: Opposed same sign.
6
7 (No opposing votes)
8
9 CHAIRMAN MILLER: Now for vice chair.
10
11 MR. GOOD: I nominate Jeep then.
12
13 CHAIRMAN MILLER: Okay.
14
15 MR. FLEENER: Who?
16
17 MR. GOOD: What you call it down there. You know
18 that's Phil Titus, right?
19
20 COURT REPORTER: Yes.
21
22 CHAIRMAN MILLER: Okay.
23
24 MR. FLEENER: Question.
25
26 CHAIRMAN MILLER: Question's been called. All in favor
27 signify by saying aye.
28
29 IN UNISON: Aye.
30
31 MR. FLEENER: I mean close nominations.
32
33 CHAIRMAN MILLER: Okay, I guess you're going to be
34 secretary again, uh, Nat.
35
36 MR. GOOD: There are some real nominations we have
37 going here. I guess.
38
39 MR. FLEENER: I nominate Nat Good for secretary.
40
41 MR. P. TITUS: Move to close the nominations.
42
43 MR. FLEENER: I second that.
44
45 CHAIRMAN MILLER: Okay.
46
47 MR. FLEENER: Aye.
48
49 MR. GOOD: Time and place of next meeting.

0138

1 CHAIRMAN MILLER: Mr. Titus you had Council concerns.

2

3 MR. P. TITUS: Yes. Just that whenever subsistence is
4 brought up anywhere that the discussion should include all the
5 resources that subsistence users use, like fish and water fowl
6 and moose and everything, berries. And the habitat these
7 animals use, too, should be a concern. Because when them geese
8 fly south, they got no place to land down there, they're all
9 dried out from farming (ph) and they should leave it for the
10 geese and ducks.

11

12 Thanks.

13

14 MR. NICHOLIA: I have a Council concern.

15

16 CHAIRMAN MILLER: Go ahead, Gerald.

17

18 MR. NICHOLIA: It seems like the last three meetings
19 we've been to it's just the same bunch of Council members. And
20 I'd like to have the whole Council together so I'd like to
21 recommend that we meet in Fairbanks so it will be easier for us
22 to travel to an area instead of having to bounce around the
23 whole region. Because I'd like to see the whole Council sit
24 down as one, all members. It would be easier for us. Because
25 it just seems like all five of us have been at the last three
26 or four Council meetings.

27

28 MR. FLEENER: Maybe we ought to just change the Council
29 size to five. Mr. Chair, I have a comment.

30

31 CHAIRMAN MILLER: Go ahead, Craig.

32

33 MR. FLEENER: I think it's probably a good idea for us
34 to meet in Fairbanks for ease of access but one thing that I
35 think we'll miss is the opportunity to be in the communities.
36 We didn't have much this time, as far as community input. But
37 I think we'll really be missing out on a lot of important
38 community input, especially when we have the opportunity to
39 hear from the elders or people that use the resources a whole
40 bunch. There's a lot of people from the villages that live in
41 Fairbanks and they could participate in the meeting and there's
42 also a whole 'nother -- an entirely different group of people
43 that we can get input from that we don't normally get input
44 from; there are benefits to both sides. So I just wanted to
45 point out what we would be losing by meeting in Fairbanks. But
46 I fully agree that it would be nice if the whole Council or at
47 least a majority of the Council were here.

48

49 MR. NICHOLIA: Or somewhere close to Fairbanks.

50 Somewhere where it's easy access for the whole region to get to

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1 without weather dependent.

2

3 MR. GOOD: If you're looking for someplace close to
4 Fairbanks, Delta is available.

5

6 MR. FLEENER: Well, maybe we can think about that when
7 we get down to our future meeting place.

8

9 CHAIRMAN MILLER: That's what we're on.

10

11 MR. FLEENER: No, we're at Council concerns. I have a
12 concern if Gerald is done.

13

14 CHAIRMAN MILLER: Craig.

15

16 MR. FLEENER: I've got several concerns.

17

18 CHAIRMAN MILLER: Come on.

19

20 MR. FLEENER: It won't take too long. I just -- I was
21 kind of confused and upset and dismayed by the comments of the
22 National Park Service and the water fowl issue that we talked
23 about. And I don't understand, really, how there can be so
24 much confusion over who can make the decisions on the National
25 Park land. And I really don't even fully understand the -- let
26 me restate that, I barely understand the entire issue and I
27 wish it could get resolved. At least tell us who's responsible
28 to make the decision so we could send a comment, send a letter
29 or something. And I would be interested in seeing this Council
30 resend a letter to the Secretary of Interior requesting that
31 this gets addressed really quick. You know, we need to know
32 who has the decisionmaking power or who can we work with if we
33 don't know.

34

35 Another issue -- did you have a comment on that Mr.
36 Good?

37

38 MR. GOOD: Yes, I did. You know, it seems to me
39 there's almost a precedent for this. Both the State and
40 Federal governments have been ignoring what's been happening in
41 Western Alaska so therefore maybe we should be taking the same
42 approach. If you do go hunt on those lands they should be
43 ignoring you the same way that they did in Western Alaska.
44 Doesn't that logically follow?

45

46 MR. FLEENER: Another issue of concern and it's
47 something that I would probably like to see in the future and
48 I'll speak just about the Yukon Flats National Wildlife Refuge
49 since that's where I live. But I would like to see more local

50 participation in Refuge decisionmaking. And if that can come

0140

1 in the form of some type of an SRC, I would like to see that.
2 Because I don't see enough input -- I don't see local community
3 members being given enough credence when they make suggestions.
4 And we see it time and time again with the LPP, with a lot of
5 other issues that are brought up. And there have been concerns
6 by community members for years that just haven't been getting
7 addressed. And one of the concerns by some of the local people
8 is that they would like to see Yukon Flats staff located in Ft.
9 Yukon. And I've been told time and time again that there's no
10 way, Jose, not in those words, but I've been told that that's
11 not very likely because of the cost, because of the lack of
12 housing, because of several reasons. And those are reasons but
13 that doesn't make the community members happy. And maybe if we
14 had some type of an SRC or a local working group that could
15 influence the decisionmaking over the Refuge.

16
17 And, you know every decision that the Refuge makes,
18 they talk about the importance of National input when they're
19 making decisions and how it's a National Wildlife Refuge and
20 they're concerned about the input from the entire country, but
21 the entire country isn't impacted when a decision is made.
22 Maybe .01 percent of the population of the country might be
23 impacted somehow by the decisions made on the Refuge but 100
24 percent of the people that live within the Refuge are effected.
25 And I think that we should have some more input.

26
27 And I would also like to ask, what the status is of
28 reorganizing the Federal Subsistence Board? That's something
29 that we didn't go over and I forgot to bring it up earlier.
30 But maybe Tom could address, very briefly, what the status of
31 the reorganization of the Federal Subsistence Board is.

32
33 MR. BOYD: I had to get Ida to remind me, it's been
34 awhile since we touched on this issue. But as you'll recall
35 there was a task group essentially made up of a couple of the
36 Board members as well as Bill Thomas, who is the Chair of the
37 Southeast Regional Advisory Council. And you were advised of
38 several options which we had received comments from all of the
39 Regional Councils on. And where this committee ended up and
40 what they recommended to the Board was essentially to maintain
41 the status quo with regard to the make up of the Board. But
42 the concern seemed -- you know, I wish I had a prepared
43 statement here, I'm trying to remember everything. But the
44 concern revolved around providing more voice on the Board by
45 the folks that knew subsistence better than anyone else, and
46 that is the local users or people from the regions. Hence, you
47 know, the reason that we wanted to create a Board -- one of the
48 options was to create a Board made up of members or Chairs, if
49 you will, of the Regional Advisory Councils or citizen

50 representatives, sort of an appointee system similar to what

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1 the State has.

2

3 So taking that theme into consideration or that concept
4 of making sure that there was ample opportunity for more voice
5 on the -- from the subsistence users, the recommendation coming
6 out of the committee was to provide more opportunity -- coming
7 out of the Board, I should say, to provide more opportunity for
8 the Council Chairs in the context of the annual spring Board
9 meetings -- to have the Council Chairs be provided more
10 opportunity to address the Board on proposals and other key
11 issues facing the Councils. And so in the formatting of Board
12 meetings, the Council Chairs have an opportunity to speak
13 during the context of providing comments on each of the
14 regulatory proposals. And then there are a number of other
15 people that are provided an opportunity to speak. There's the
16 Staff presentations. There's the State representative having
17 an opportunity to speak. The public has an opportunity to
18 speak. The Board does deliberation. And then in the context
19 of the format, they come back to the Council Chair one more
20 time prior to the final Board vote. So that was the compromise
21 that was struck essentially. So no change, but providing more
22 time and additional opportunity for Council Chairs to speak to
23 the Board prior to Board decisionmaking.

24

25 MR. FLEENER: I remember that taking place. And one
26 thing that I wanted to point out, that I appreciated the second
27 opportunity to make comment, but I think that it wasn't quite
28 -- the timing wasn't quite perfect. The way it happened to
29 work out was that after they went around, they gave the Chairs
30 another opportunity to comment but then discussion still
31 continued amongst the Board, and it wasn't exactly like it was
32 told, that it would be right before deliberation. And I don't
33 know if that's a key point or not, but I just remembered that
34 the Board continued discussing it and asking the Staff more
35 questions even after the Council Chairs commented and that was
36 a concern but I don't know how important it is.

37

38 MR. BOYD: And I don't either. I think it's the first
39 time we did it and perhaps we're learning as we go here. I
40 would say that if the Council Chair prompted further discussion
41 then it might be warranted. You know, it may prompt questions
42 in the Board's mind so they have to go back to the source, to
43 Staff or whoever to get answers to satisfy the Chair's
44 concerns. So I guess time will tell if this is going to work.

45

46 MR. FLEENER: Thanks. No further concerns.

47

48 CHAIRMAN MILLER: Okay, now we're at.....

49

MR. FLEENER: We got to decide where we want to meet.

0142

1 CHAIRMAN MILLER: Future meeting planes. So far I've
2 heard Fairbanks, any other places?

3
4 MR. FLEENER: Somebody said Delta.

5
6 MR. GOOD: We also had Eagle as a possibility.

7
8 MR. NICHOLIA: How about Ft. Yukon?

9
10 MR. P. TITUS: Yeah, let's go up to Arctic Village.

11
12 MR. FLEENER: Chicken.

13
14 MR. P. TITUS: How lost could we get going to Arctic
15 Village.

16
17 MR. MATHEWS: What are your wishes then for meeting
18 location?

19
20 MR. FLEENER: I say Delta Junction.

21
22 CHAIRMAN MILLER: Delta sounds good. Any other
23 comments on that?

24
25 MR. NICHOLIA: Delta Junction first choice, Arctic
26 Village second choice. We'll get our other Council members on
27 Board.

28
29 CHAIRMAN MILLER: Okay, I guess that's it then.

30
31 MR. FLEENER: Delta it is.

32
33 MR. MATHEWS: For when to meet, under Tab K, I think it
34 is -- L, excuse me, there's a calendar. The window opens up
35 for meeting on February 22nd, closes on March 24th. Right now
36 Western Interior's scheduled for March 9th through the 11th
37 with a back up date of March 2nd through the 4th. It doesn't
38 mean you could not select that week of March 1st, but they
39 selected that as a back up if for some reason 9 through the
40 11th in Galena could not be worked out.

41
42 Southcentral meets on March 23rd and 24th, which I
43 don't know if there'll be a need to have one meet before the
44 other or concurrence of meetings. So that's the main ones you
45 have to watch for overlap, is, Southcentral and Western
46 Interior.

47
48 MR. NICHOLIA: Last week in February, the 23rd through
49 the 26th.

0143

1 MR. P. TITUS: Delta.

2

3 CHAIRMAN MILLER: How about March 6th and 7th.

4

5 MR. P. TITUS: March what?

6

7 CHAIRMAN MILLER: March 6th and 7th.

8

9 MR. FLEENER: I support that.

10

11 MR. MATHEWS: March 6th and 7th is on the calendar. I
12 just have to advise you it is a weekend and there's difficulty
13 with travel planes.

14

15 MR. P. TITUS: For who?

16

17 MR. FLEENER: To Delta?

18

19 MR. P. TITUS: For who?

20

21 MR. MATHEWS: I don't have a problem with 6th or 7th.
22 But I'm deferring to supervisors on that.

23

24 CHAIRMAN MILLER: You don't want to pay OT on.....

25

26 MR. GOOD: Oh, pay them OT.

27

28 MR. FLEENER: They don't get OT, they get comp time,
29 right?

30

31 CHAIRMAN MILLER: I don't really -- I have.....

32

33 MR. NICHOLIA: Let's go for the 24th and 25th of
34 February.

35

36 MR. MATHEWS: I don't know when Eastern is.

37

38 MR. FLEENER: March 6th and 7th.

39

40 MR. MATHEWS: 6th and 7th is fine as far as weekends.
41 The only concern I'd have is we're -- obviously our Staff, me,
42 and Pete and George have to get to Galena for 9th through the
43 11th. And I think Tom wants to talk about -- no he doesn't,
44 okay.

45

46 CHAIRMAN MILLER: How about February 27 and 28th.

47

48 MR. FLEENER: Sure I'll go for that.

49

CHAIRMAN MILLER: The reason is we're just trying to

0144

1 get at Craig's schedule since he's got classes and all.

2

3 MR. MATHEWS: No, I don't have -- these are all
4 weekends.

5

6 CHAIRMAN MILLER: A lot of us work during the week
7 so.....

8

9 MR. NICHOLIA: Yeah, I wouldn't have to take my annual
10 leave.

11

12 MR. MATHEWS: No, I mean it is a point. It's been
13 brought up in other regions.

14

15 MR. FLEENER: I'm taking 12 credits in the semester,
16 the weekend would be helpful to me.

17

18 MR. MATHEWS: I'm not putting it off, it's been brought
19 up in other regions.

20

21 CHAIRMAN MILLER: Will the 27th and 28th work for you
22 guys?

23

24 MR. FLEENER: Yes.

25

26 CHAIRMAN MILLER: Do you want to pencil it in for then,
27 the 27th and 28th?

28

29 MR. MATHEWS: That's fine.

30

31 MR. FLEENER: Would that be better for you, Vince?

32

33 MR. MATHEWS: Yeah, that's fine. I mean I'm getting a
34 nod from the Supreme.....

35

36 MR. BOYD: I'm having no problem providing overtime for
37 my Staff to work on the weekends. I think we try to
38 accommodate the Regional Councils. As a general rule we
39 haven't met on the weekends, we've tried to steer away from the
40 weekends. But I'm hearing you've got problems and you want --
41 you think this will help you resolve those problems with regard
42 to getting people to the meetings.

43

44 CHAIRMAN MILLER: Well, let's give it a try. If it
45 don't work we'll try something else.

46

47 MR. BOYD: Yeah.

48

49 CHAIRMAN MILLER: It's just an idea.

0145

1 MR. BOYD: I can't speak for the other agencies but we
2 certainly encourage their participation as well.

3
4 MR. FLEENER: If they don't want to come on the
5 weekend, they could just send a videotape representative.

6
7 MR. BOYD: A hologram.

8
9 MR. FLEENER: You like that idea?

10
11 MR. MATHEWS: Okay. So then we understand February
12 27th/28th would be Delta Junction with your back up of Arctic
13 Village.

14
15 CHAIRMAN MILLER: Yes.

16
17 MR. MATHEWS: What if those dates don't work out, just
18 give me another back up.

19
20 MR. FLEENER: The following weekend.

21
22 MR. MATHEWS: Because usually you give me two dates so
23 then in case there's some kind of flux.

24
25 MR. FLEENER: How about the following weekend?

26
27 MR. NICHOLIA: Yeah, the following weekend.

28
29 MR. MATHEWS: Okay, the following weekend.

30
31 CHAIRMAN MILLER: March 6th and 7th.

32
33 MR. FLEENER: What's wrong George, messing up your
34 grouse hunting?

35
36 MR. SHERROD: No. Moose.

37
38 MR. FLEENER: Moose hunting.

39
40 MR. LUNDERSTADT: When's spring break?

41
42 MR. MATHEWS: It depends on which city.

43
44 MR. GOOD: I think he's asking about Fairbanks.

45
46 MR. FLEENER: Oh, for college?

47
48 MR. MATHEWS: Fairbanks spring break is March 15th to
49 the 19th. The kids get out of school on the 12th. I was

50 ordered that before I left house to make sure I noted that.

0146

1 But spring break in Fairbanks is the 12th, Anchorage is, I
2 think the week before. The university doesn't believe in
3 spring breaks.

4
5 MR. FLEENER: I've never got to celebrate a spring
6 break going to college yet so I don't know. They don't have
7 them for teleconference classes.

8
9 Topics issues and subjects.

10
11 MR. P. TITUS: Nothing else, move to adjourn.

12
13 MR. GOOD: I'll second it.

14
15 MR. FLEENER: Vince, anything else, we just moved to
16 adjourn?

17
18 MR. MATHEWS: Sounds good. That's fine.

19
20 CHAIRMAN MILLER: Okay.

21
22 MR. GOOD: I second that.

23
24 MR. FLEENER: Question.

25
26 CHAIRMAN MILLER: Question's been called. All in favor
27 signify by saying aye.

28
29 IN UNISON: Aye.

30
31 CHAIRMAN MILLER: We're out of here.

32
33 (END OF PROCEEDINGS)
34 * * * * *

